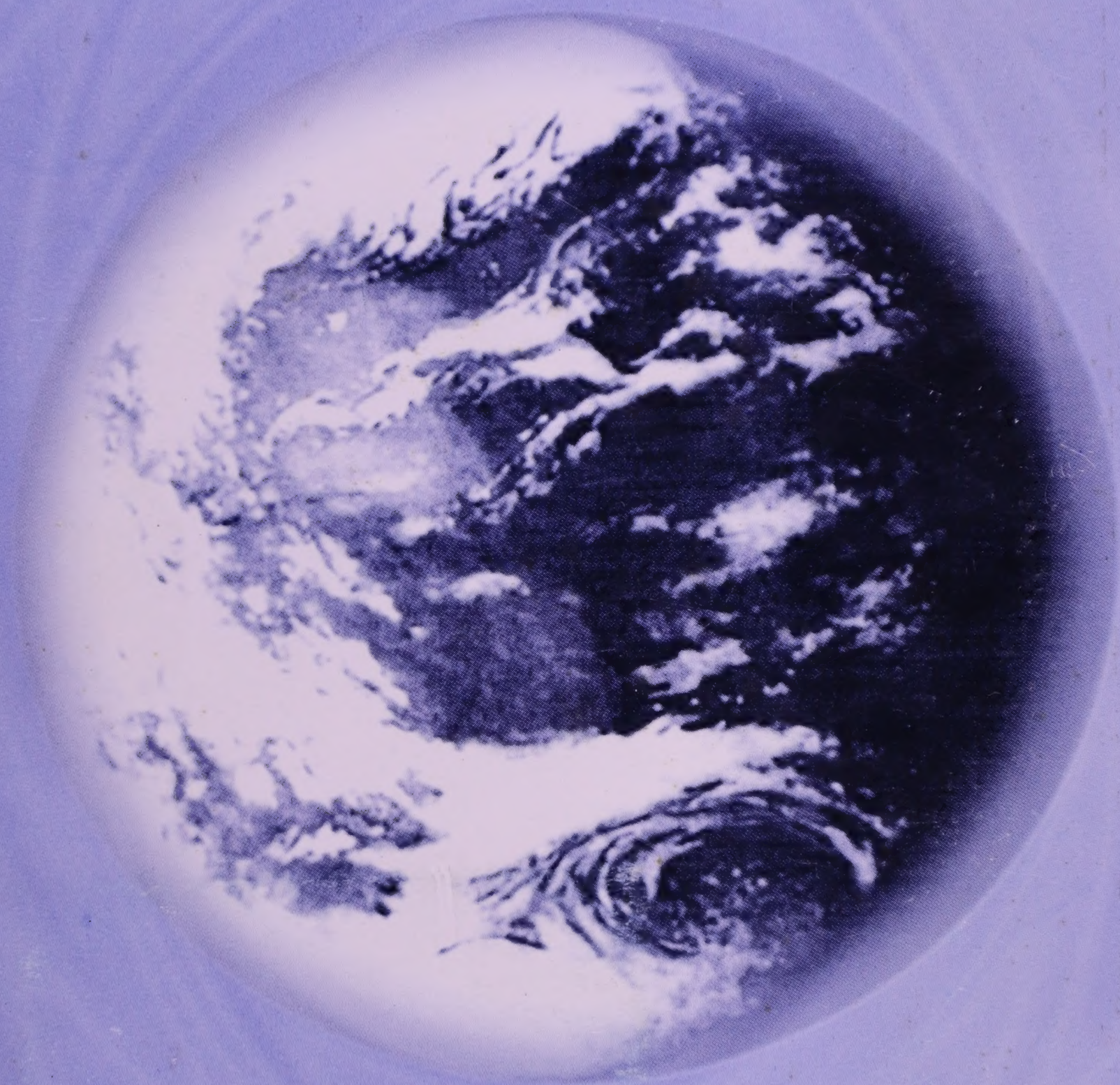


# **BREAKING SILENCE**



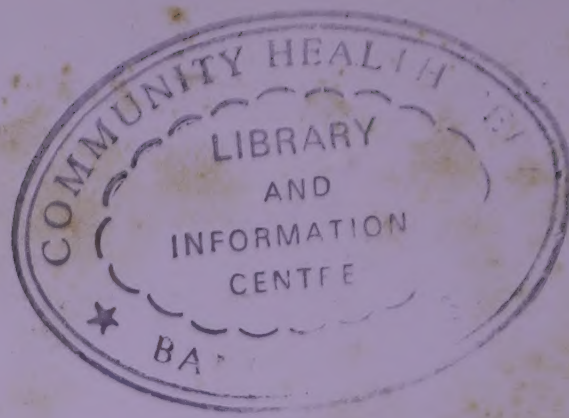
## **VOICES FROM THE MARGINS**

An enquiry into Post-Tsunami Relief and Rehabilitation

People's Tribunal Headed by Justice H. Suresh



10036



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# Breaking Silence Voices from the Margins

Edited by

Ajit Muricken  
Ullash Kumar

Vikas Adhyayan Kendra for the Voices from the Margins



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The People's Tribunal was organised under the banner of "Voices from the Margins", is a coalition of Tsunami survivors, concerned activists, relief workers, union and mass organisations to voice their collective demand for just the equitable distribution of livelihood assets: adequate compensation and entitlements irrespective of caste, religion, gender and age.

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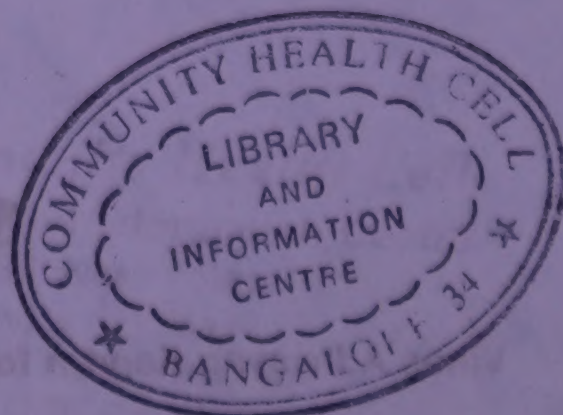
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### Members of the Jury:

1. Justice Mr. H Suresh, Former Justice Mumbai High Court
2. Justice Ms. D. Sri Devi, Former Justice High Court of Kerala
3. Dr. V. Mohini Giri, Former Chairperson National Women Rights Commission
4. Dr. Gopal Guru, Professor Jawaharlal Nehru University, New Delhi

### The members of the expert panel included the following\*:

1. Mr. Ravi Nair, Convener Asia Pacific Human Rights Network, New Delhi
2. Dr. Anand Teltumbde, Scholar and activist, also associated with Human Rights movements.
3. Dr. Parasuraman, Director, Tata Institute of Social Sciences, Mumbai
4. Mr. G. Shankar, Architect, Expert on Alternative Housing
5. Dr. R. K. Sivanappan, Water technologist, Member-State Planning Commission, Government of Tamilnadu
6. Dr. M. Arunachalam, Marine Ecologist, Professor, Manonmaniam Sundaranar University, Tirunelveli, Tamilnadu
7. Mrs. A. Manohari, Dalit Activist, Programme Director, Institute of Self-Management, Madurai, Tamilnadu
8. Dr. S. P. Udayakumar, Environmental Activists, Director-SACCER Trust, Kanyakumari District, Tamilnadu
9. Mrs. Anita Mathew, Educationist, Child Rights in Goa



10. Dr. Valerian Rodrigues, Jawaharlal Nehru University, New Delhi
11. Dr. Thangaraj, Director, Dr. Ambedkar Centre for Economics Studies, University of Madras
12. Dr. Unnikrishnan P. V., Medical Doctor, Expert in Disaster Management
13. Advocate Henri Tiphagne, Human Rights Activist, Executive Director, People's Watch-Tamilnadu, Madurai

\* The Jury was assisted by an expert team consisted of persons drawn from diverse academic and professional backgrounds to study and investigate into key issues and areas of concern related post-Tsunami relief and rehabilitation.



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dedicated to  
the deceased and Survivors of the Tsunami disaster  
on 26th December 2004



## Foreword

**O**n December 26, 2004, early morning after Christmas, an earthquake measuring 9 on the Richter scale struck Northern Sumatra. The Tsunami tidal waves, generated by the quake, devastated 2,260 km of the coastline of Andhra Pradesh, Pondicherry, Tamil Nadu, Kerala and the Andaman and Nicobar Islands. Over 15,000 people lost their lives. More than 2.7 million people have been affected, over 160,000 homes destroyed, close to 65,000 boats damaged and several 100,000s livelihoods lost. There have been unbearable scenes of death, destruction and despair among the survivors. The affected people, perhaps up to 90% are the coastal poor; about 80 percent were engaged in fisheries, 15 percent in agriculture and 5 percent in small and micro-enterprises. Poverty breeds vulnerability thus aggravating the consequences of the natural disaster like Tsunami further increasing the levels of deprivation. The extent of economic fallout of this Tsunami catastrophe (according to Joint Assistant Mission of the World Bank, Asian Development Bank and United Nations) has been aptly summed up as – “a significant impact on the state’s livelihood (about 38 percentage of the total damage and losses imposes negative consequences on livelihood) in the coastal environment and local economy.” In particular, it provides a measure of the economic impact of the Tsunami on the fisheries sector and related livelihood of the coastal communities of the affected States.

Almost a year after the disaster, hundreds and thousands of people are still living in desperate circumstances in temporary shelters without any certainty of their future. *Ad hoc* measures and an incoherent approach to the Tsunami rehabilitation have adversely affected the recovery process of the survivors.

The Tsunami sounded the wake up call by revealing the deficiencies in calamity management. *Ad hoc* approaches and an absence of a policy framework for relief rehabilitation and reconstruction is a denial of the legitimate rights of survivors. On the other hand, the right to relief with dignity and development are as their right, in a democratic polity, is the responsibility of the state and the fundamental right of every victim of disaster. When the state neglects its duties/obligations, human right empowers survivors to access the legal and constitutional remedies to make the state responsible in providing unconditional guarantee to proper relief and rehabilitation.

Natural calamities are frequent occurrences and major earthquakes (exceeding 6 on Richter scale) have struck India in the past fifteen years. Though these events are unrelated



yet there are commonalities – we are not prepared for such massive shocks. A common element in all these disasters is our shocking lack of preparedness (in physical, economic, administrative, legal and other aspects), coupled with a lack of long-term vision, especially, to help the poor and the vulnerable groups.

Any disaster of this nature is a challenge and an opportunity as well as new lessons for future preparedness. Lessons are learnt at great cost in India, as the knowledge attained from previous disasters is seldom reflected in the overall policy framework or in planning. The lessons learnt from the Orissa cyclone of 2000, the Latur and Gujarat earthquakes of 1993 and 2001, respectively, and other similar disasters have failed to induce a paradigm shift in our approach to disaster mitigation. Nor have we learnt lessons of how to cope well with the disaster demands - of regulating communities for safety, protecting the vulnerable people especially in areas exposed to disaster, empowering people's organizations for transparency and decision-making, and the right of the affected communities to necessary information.

Both men and women have been affected by the tsunami disaster, but differently due to gender differences and gender roles in society. The implications of these differences must be properly understood and integrated into the recovery measures. Women's involvement and their specific concerns must be enlisted in the assessment and programming stages for recovery.

It is an irony that the Indian state has technological capabilities to explode nuclear bombs and other destructive capabilities but has totally failed in developing life-saving technologies for protecting people from such disasters. We have also the largest scientific workforce in world, yet existing scientific knowledge remains to be blended within the administrative mechanism. For example, flood zones, seismic zone and drought prone areas are identified but no-long term remedial policy is evolved to mitigate their effects. A warning to this Tsunami event was issued from USA, five hours before it actually occurred but the callous government approach led to massive losses.

The Tsunami exposed the groups already suffering from discrimination and other human rights abuses to greater harm. Vulnerable groups like women, children, landless poor, fish workers have all suffered violations of human right abuses of various forms. As most of them were then helpless against nature's wrath, they are now feeling helpless at government's inaction.

Despite the unprecedented generosity of people - within the country and from all over the world - the affected people after several months of the Tsunami are still living in desperate and uncertain circumstances. Frustrations emanating from the inordinate delay, linked with the widespread allegation of inadequate relief and rehabilitation, complaints of discriminations and the lack of coherent disaster policies, both by the Center and the states, a People's Tribunal was organized by a coalition for the victims of disaster, under the banner of "Voices from the Margins". In the absence of any formal grievance redressal



mechanism, the Tribunal provided the needed space for breaking the culture of silence to voice their collective demand for just and equitable distribution of livelihood assets: adequate compensation and entitlements irrespective of caste, religion, gender and age.

This report provides a summary of the proceedings of the Tribunal, the findings of the Jury and the Panelists and highlights the key issues discussed and ideas conceived for future strategies.

We would like to take this opportunity to thank the Jury and the panelists, and a special mention of thanks to Justice Hospet Suresh for all the support, advice and assistance given to us for making the People's Tribunal a great success.

Ajit Muricken

Director

Vikas Adhyayan Kendra







## Concept Note

### People's Tribunal:

### On Post Tsunami Relief and Rehabilitation

### Challenges and Responses

The Tsunami that swept coastal South India on December 26<sup>th</sup> 2004, was completely devastating. It affected 2,260 km of the coastline of Andhra Pradesh, Pondicherry, Tamil Nadu, Kerala and the Andaman and Nicobar Islands. Over 15,000 people lost their lives. More than 2.7 million people have been affected, over 160,000 homes destroyed, close to 65,000 boats damaged and several 100,000s livelihoods lost.

Though initially there was tremendous response for relief and rehabilitation, nothing much happened. The government has done nothing much to take care of these people. People are left high and dry to suffer on their own.

Five months after the disaster, hundreds and thousands of people are still living in desperate circumstances, completely uncertain of their future. It is also not very clear to what extent these people have benefited from the rescue, relief and rehabilitation programmes implemented by the Government. In many cases, they have been reduced to passive subservient receivers. The big question that needs to be answered here is that, where did all the relief money go? What has the governments done to rehabilitate the affected people?

With a Centre-State tussle over whether grants or loans should be given, frustrating system of disbursement of funds to buy or repair boats, concerns of rehabilitation of affected communities is yet to be addressed. Frustration is building up slowly in the community and it may turn aggressive if its needs are not met soon. Public meetings and protests on issues of food security and livelihood in the Tsunami affected areas is a frequent sight.

Following the widespread allegation of inadequate relief and rehabilitation, complaints of discrimination, lack of coherent disaster management policies both by the Centre and the State and ad hoc approaches to these measures, without proper transparency and accountability of the money received from the public; concerned civil society groups and NGOs, fish workers unions, leaders of Dalit communities, academics and intellectuals have felt the need to organize a People's Tribunal to examine the effectiveness of relief and rehabilitation measures by the government and the nature of people's participation in



policy formulation and the nature of people's participation in policy formulation on 'rehabilitation packages' and long term development programme in rebuilding their lives.

The aim of the People's Tribunal was to conduct an impartial inquiry into relief and rehabilitation process and suggest appropriate measures, if needed, to enhance the quality of intervention both by the State, Civil Society initiatives, multilateral/bilateral organizations, private sector and NGOs. The objectives of the Tribunal include the following:

1. To assess the impact of the Tsunami on the Coastal Communities and on different sub-sectors and occupational categories, and assess the response and the steps taken by the Central and State governments and others in areas of relief and rehabilitation and long-term development.
2. To review and evaluate whether the authorities have ensured basic rights of the survivors without discrimination especially the rights to health and trauma care, decent temporary/permanent shelters, water and sanitation, culturally acceptable nutritional food, education, appropriate information and compensation, etc.
3. Appraisal of the disaster mitigation policy and mechanisms in place by the Central and State Governments, the compensation packages, damages assessment mechanism and criteria to determine the loss of lives and property.
4. To widen the platform of expression of the tsunami affected people and strengthen their support base to create possible space for support within the media and civil society institutions for advocacy and campaign.

The key issues and concerns identified for the public hearing are as follows:

- Rights to livelihood with dignity
  - ⇒ Just and equitable supply of livelihood assets and employment opportunity irrespective of caste, religion, gender and age.
  - ⇒ Compensation, entitlement, remedial mechanism.
- Rights to Shelter:
  - ⇒ Relocation, resettlement, right to traditional habitat, proper housing and temporary shelters.
  - ⇒ Norms on housing reconstruction, respecting the culture of the community.
- Tsunami disaster prone areas ecological systems, environment and ecological reconstruction:
  - ⇒ Marine ecology, environment, coastal industries, agricultural damages
  - ⇒ Implications of Coastal Zone Regulations and post tsunami initiatives.
- Right to information of affected people and concerned civil society:



- ⇒ Information on socio-economic and ecological damages
- ⇒ Transparency in rehabilitation and governance; and related issues of the coastal regions
- ⇒ The likely impact of the role of the World Bank, Asian Development Bank under cover of rehabilitation and development of pushing through neo-liberal agenda that is in the long-term anti-people.
- Psychological and Social Conditions of Women and Children:
  - ⇒ education of children
  - ⇒ single parent and parentless children
  - ⇒ trauma care for women and children
  - ⇒ child trafficking/child marriage
  - ⇒ incorporating gender perspective in disaster, like, the importance of gender roles, responsibilities and proper conception of what relief means for women and equality in all spheres pertaining to rehabilitation, local governance and distribution of relief
  - ⇒ long term rehabilitation policy and action plans for widows and their children
  - ⇒ children under the care of widowers and their future in the context of marriage of their fathers.
- Current status and future plans on resources and beneficiaries:
  - ⇒ Coverage, utilization of fund and the nature of equity and justice in the dispersal of resources.

#### Frame of references for the Peoples Tribunal:

1. Compensation to the families of those 'missing people' in accordance with the precedent of Gujarat G.O on missing people in the context of Earthquake 2002 and initiating compensation at par with the compensation for the dead.
2. The exact nature of the future plans for permanent housing and distribution of household articles for the people who lost their homes to Tsunami waves. The issue of fisher people's right to housing including permission to build new houses at the site of damaged houses. Ensure joint registration of assets (women and men having equal rights).
3. The status and living conditions of the displaced people housed in temporary shelters. Safety, security and privacy to women and girls living in temporary shelters are under threat since there are several reports and complaints made by women in the camps.



9. Mrs. Anita Mathew
10. Dr. Valerian Rodrigues
11. Dr. Thangaraj,
12. Dr. Unnikrishnan P. V.
13. Advocate Henri Tiphagne

The Methodology of the Tribunal was:

1. Case Studies
2. Field Investigation
3. Testimonies (From Tamil Nadu, Pondicherry and Kerala)
4. People's Tribunal sessions
5. Declaration of People's Tribunal
6. Press Conference



## 1. Consolidated Process Report of the Public Hearing

**O**ver 300 Tsunami survivors from the states of Tamil Nadu, Pondicherry and Kerala assembled at the Mannam Memorial Hall, Trivandrum on 28<sup>th</sup> and 29<sup>th</sup> May 2005. The occasion was the “People’s Tribunal” on Post Tsunami Relief and Rehabilitation Challenges and Response, organised under the banner “Voices from the Margins”, a coalition of Tsunami survivors, concerned activists, relief workers, union and mass organisations to conduct an impartial enquiry whether the authorities have ensured the basic rights of the survivors without discrimination, right to livelihood, shelter, water and sanitation, distribution of nutritious food, proper damage assessment, compensation, etc. In the absence of any formal grievance redressal mechanism, the Tribunal provided the needed space to fill that vacuum.

Dr N. A. Karim (Former Vice Chancellor of the Kerala University) formally inaugurated the Tribunal. Dr. Karim in his inaugural speech said that had the Kerala Government utilized at least half of the 300 crore Rupees for Tsunami funds received towards relief and rehabilitation of the survivors of the disaster, the lives and livelihoods of the affected could have been rebuilt by now.

Wide range of issues and concerns were brought out by the survivors through their testimonies and depositions. A total of 39 survivors presented their testimonies before the jury on the magnitude of the disaster and the blatant injustices and human rights violations inflicted upon them by the concerned authorities. The testimonies were emotionally charged and at times filled with anger against the Governments for their sheer negligence in providing adequate resource for relief and rehabilitation. They felt that Government programmes were inadequate and badly coordinated.

The survivors who presented their testimonies spoke in their respective mother tongues which were simultaneously translated into English. The narratives were mostly specific to region, community, and culture specific.

The testimonies reflected inadequate relief and rehabilitation efforts of the three State Governments especially in the following areas: livelihood, housing, compensation, living standards in temporary shelters, health, sanitation, education, discrimination, safety and privacy of women and children, water, social isolation, distribution mechanism and ecological restoration etc.



**1. Dignity and Rights:** A member of the expert panel pointed out the constitutional rights of the disaster victims to compensation and proper rehabilitation as enshrined in Article 21 of the Constitution of India. The Supreme Court has repeatedly reaffirmed that the right to life does not mean the right to mere survival but a right to dignified human life. This includes the right to food, clean water, access to health facilities, livelihood, shelter and education. In this context, the question is whether the access to these rights have been protected. Several testimonies by the survivors narrated how the legally binding rights and the morally binding principles have been violated by sheer neglect. The Relief and Rehabilitation efforts were inadequate and badly coordinated. The delays in rehabilitating the victims, as expressed in the testimonies, amount to gross violation of their rights to relief, shelter, work and food. Several testimonies highlighted the fact that the local governments abdicated their responsibilities and they functioned in a non-transparent manner. The government failed to instruct local authorities to issue relevant papers and in many instances the survivors questioned the way they were treated.

The State Human Rights Commission and the National Human Rights Commission have also abdicated their responsibilities. No one seems to be bothered about where the funds have gone and how they are being utilised. The public hearing also revealed that the entire process of rehabilitation was carried out without adequate participation of the affected people and compensations were paid as if patronage or charity and not as a right. The general feeling among the participants was that ensuring maximum participation and involvement of the Tsunami survivors through a process of democratic consultation and their participation in the decision making and implementation of the schemes is essential if the relief schemes to succeed. One of the participants summed up the prevailing mood in the following words "what we need is relief with dignity, and rehabilitation and development as a right."

**2. Livelihood issues:** Several testimonies highlighted livelihood related issues of fishermen, dalits and of the people in allied occupations. Thousands of acres of agricultural land has been affected by the flooding of salt water destroying crops and spreading sand and debris. No compensation has been paid for these damages. Even those who were entitled for compensation according to the G.O, it was fixed and distributed on an arbitrary and adhoc manner, without any proper study, assessment criteria or any reference to the actual loss suffered by the families.

Government's insistence on building houses, 200 to 500 meters away from the high tide mark on the shore, would amount to loss of their livelihood and displacement from their traditional habitat. The banks have refused to give loans for the purchase of new boats. The Tsunami also left a large number of marginalised sections further devastated: The dalits involved in backwater fishing, those who worked on the boats, those who owned sheds where the fish was dried and salted, sea shell collectors, pearl divers, salt-pan workers, boat makers, painters and artisans, inland fisher people and pastoral people; all suffered but no compensation has been given to them.



Since 26<sup>th</sup> December 2004, all the fishing activities have come to a standstill, affecting coastal and inland fisher people. After the Tsunami thousands of workers were displaced from their traditional occupation. It is estimated approximately that 5,31,000 in 591 coastal villages, now face unemployment and around 2,00,000 fish processing workers and allied industry workers face similar unemployment. The provision of livelihood support system, the people pointed out, is the means to restart traditional occupation of fishing. It has also been pointed out that the livelihood support measures announced by the government are nowhere in sight. With the centre and the state tussle, whether grants or loan should be given, frustrating the systems of the disbursal of the funds to buy or repair boats, frustrates them further. Though, the provision of livelihood focused support turned out to be the best recovery strategy.

One of the testimonies highlighted the fact that in many cases getting compensation was humiliating experience and often they had to face ill treatment of the bureaucracy, if a share from the measly compensation money was not given. In some cases it was the creamy layer who got the compensation because of their political connection and influence despite being unaffected by the Tsunami, thus, depriving the poor fishermen of their legitimate right.

**3. Health and sanitation:** Several narrations in the public hearing exposed the pathetic sanitary condition at the relief camps and temporary shelters. The toilets are clogged with human excreta and not only unfit for human use but also affected the health of the people. The heat in summer was severe and the non-provision of clean and adequate water supply combined with unhygienic condition caused illness like measles diarrhoea, jaundice and other diseases and with the onset of monsoon water borne diseases.

In many areas, following the disaster, the health facilities have collapsed and have not yet been restored. People have no recourse to any other health facility. The poor health status of women is a serious concern, especially the gynaecological problems they face.

Psychological problems still prevails six months after the disaster, especially among women and children, single persons, etc. The most common symptoms prevalent, as testified by the victims, were sadness, fear of the sea, intrusive memory of the quake, diminished interest in work and uncertainty of the future.

The public hearing on the first day was concluded with a press meet at 4.30 pm addressed by Justice D Sreedevi, Dr PV Unnikrishnan and Mr Ravi Nair, where the issues brought up at the public hearing and the immediate responses of the jury and of the expert panel were shared.

The second day of the proceeding was devoted to interactive session between the jury, expert panel and mass leaders. The members of the expert panel presented their findings followed by responses from mass leaders with their assessment of the Post Tsunami Relief and Rehabilitation.



The People's Tribunal concluded its proceedings by 2.00 pm on 29<sup>th</sup> with the vote of thanks by the Convenor of the Tribunal. Soon after, Justice H Suresh, Dr. V Mohini Giri, Dr S Parasuraman and Mr G Shankar met the press and shared with them the initial findings and interim report of the tribunal.

**4. Women and Children:** The public hearing brought in to sharp focus that women and children are the most vulnerable in any disaster. Following the Tsunami, the feminisation of poverty has been further deepened. Women's traditional means of livelihood of selling fish and other allied occupation now stands completely destroyed. Following the loss of their men and livelihood in the disaster, these women are the worst affected and not yet able to assume their traditional occupation. There are also testimonies of compensation package not reaching these affected women, as the relatives of their husbands are claiming them and these women are being thrown out from their homes.

Given the prevailing socio-cultural context, lack of such safety provisions will lead these women into the danger of sex work and trafficking. In many places, women are subjected to sexual abuse and violence.

Both men and women have been affected by the tsunami disaster, but differently, due to gender differences and gender roles in society. The implications of these differences must be properly understood and integrated into the recovery measures. Women's involvement and their specific concerns must be enlisted in the assessment and programming stages for recovery.

**5. Children:** The disaster left a number of orphaned children, which is a major area of concern. Besides, a large number of children are also in a state of shock and trauma and without any means of restarting their education. This is to be addressed on a priority basis. Child activists pointed out the absence and the lack of a child friendly disaster mitigation policy by the government and stressed the need for the establishment of child-friendly spaces in camps, support for play activities, group therapy sessions for children in relief camps through songs, play groups sessions, outdoor games, theatrical games, painting for self expression and helping children to get out of their post trauma stress disorder. It was also highlighted that large number of children are mal-nourished without proper nutritional food and are vulnerable to a number of bacterial and infectious diseases like cholera, typhoid etc. and need medical supply, proper health care and social security.

**6. Housing and Temporary Shelter:** The Tsunami survivors are housed in make shift houses with tin roof covers which provide no protection against the summer heat and the monsoon rains. Several people have testified that during the rains in March-April, the floors of the temporary shelters were flooded with rain water causing water borne diseases. Besides, the summer heat emitted by the tin sheets makes it impossible to stay inside the sheds during the day. Many have complained of dehydration, heat stroke and exhaustion. The most immediate need voiced by the survivors is to rebuild their houses at the earliest. Having one's own home, gives the survivors a sense of having their family back together to



start a new life. For women and children, being together in the private spaces in their homes gives a great sense of security and protection after having had to live in the open spaces for several months. It is considered unlikely that the permanent shelters will be built in the near future. Delays in deciding on the construction packages and the design and who can build where, compound the problem.

By the very nature of their settlement and livelihood, fishermen would like to live, as near to the sea, as possible. Land right is another area of concern. The traditional habitat they had inherited for generations, are now under threat by the fact that many people did not hold title deeds to the land, adding to their sense of insecurity. The building plan announced by the government was not adequate to fulfil the needs of the fishing community. The response of the government in constructing permanent housing has been extremely slow and ineffective. The political response to the Tsunami reflects the same old discourse of ineptness, corruption, discrimination and favouritism that prevails in the country.

**7. Environment, coastal and marine ecology and land:** The effect of Tsunami on coastal ecology was highly devastating as there had been enormous and continued illegal sand mining, which had weakened the coast. Sea water with debris, entered salt pans and agricultural lands, destroyed the crops and made the land saline. The effects on the marine resources have been enormous, which are yet to be assessed sufficiently. There is poor fish catch due to changes in sea bed patterns and closure of coral reefs by sand and mud. The public hearing brought out the demand that the reconstruction of houses should be eco-friendly and cost-effective. The impact of the upcoming Sethusamudram canal on the fisheries and marine ecology in the area is not assessed adequately even though the area comes in the tsunami hit area.

Tamil Nadu government's plan of building sea walls along the coastal line, at an estimated cost of five thousand crores, is a recipe for environmental disaster. Furthermore, these walls will restrict the free movements of the fishing communities. This sea wall and the relocation of the fishing community beyond 500 meters, CRS will dispose them of the coastal line on the sea coast. It is feared that these lands will be sold to sand miners, hoteliers, commercial fishing companies, etc.

Several participants pointed out that the post-Tsunami reconstruction and rehabilitation plans should be sensitive to learn from the collective wisdom of the fishing communities. Mangrove forests maintained by the fishing communities protected land from strong winds, cyclones, waves and flood by enabling overflowing water to be absorbed into the expanse of the forests. They also produced nutrients for the sea creatures. It was felt that sea wall is not an answer to protecting the people from the Tsunami. An alternative to this is in reviving mangroves along the sea coast. It is the best option available that can minimize the menace of the waves and protect the coast against sea erosion.

**8. Castes and Communities:** The Public Hearing exposed the exclusion of large number of people from the Tsunami relief and rehabilitation because these categories of people



did not meet the eligible criteria to qualify for Tsunami relief package. Shoreline fishermen, inland fishermen, dalit labourers who worked with fishermen, agriculturists who have lost crops and cattle, agricultural labourers, the artisans who painted and made boats were excluded and have not received any compensation. Owners of unregistered boats also did not receive any compensation.

In the public hearing several dalit leaders gave testimony to the various types of discrimination, they have been subjected to and of not being sufficiently rehabilitated by the government, though their means of livelihood were completely destroyed. In many places, compensations given to the dalits were less than that of fishermen. While fishermen received Rs. 4000, dalits were given only Rs. 2000 each. It was alleged that in many places fisherman prevented officials from distributing relief material for the dalits. It is ironical that the disasters like Tsunami causes havoc without discrimination, but unfortunately in the post-Tsunami, the survivors were discriminated on the lines of caste, gender and communities in the allocation of resources.

**9. Disaster Management Policy:** The disaster mitigation policy and the mechanisms in implementing it, is much to be desired. Ad hoc measures and incoherent approach to the Tsunami devastation have adversely affected the recovery process of the survivors.

Any disaster of this nature is a challenge and an opportunity as well as new lessons for future preparedness. Lessons are learnt at great cost in India. Yet the knowledge attained from previous disasters is seldom reflected in the overall policy plans or in planning. The lessons that we learnt from the Orissa cyclone of 2000, the Latur and Gujarat earthquakes of 1993 and 2001 and similar other disasters have not helped to affect a paradigm shift in our approach and policy plans to disaster mitigation. Nor have we learnt lessons of how to cope well with the disaster demands—of regulating society for safety, protecting the vulnerable people especially areas exposed to disaster or empowering people's organisations for transparency and decision-making, and the right to information and the dissemination of this information to the affected communities.

The participants pointed out that it is ironical that the Indian state has technological capabilities to explode nuclear bombs and other destructive capabilities but has totally failed in developing life-saving technologies for protecting people from such disasters. We have been fortunate enough that the tsunami waves have not hit the nuclear plants located on the shores of Tamil Nadu at Kalpakam and the one under construction, at Kudakulum. Both have fortunately escaped the fury of the tsunami waves. This calls into question the safety and location of these nuclear power plants. Had they been hit by the waves, there would have been untold loss of millions, even affecting the lives of future generations.

Setting up disaster warning and the dissemination of such information through low cost community radios and other easily accessible communication channels would have saved thousand of human lives.



**Recommendation from Voices from the Margins:**

1. To ensure impartial, equal and effective rehabilitation with an inclusive approach in food supply, livelihood restoration and construction of homes including provision of household articles
2. To ensure peoples participation in the planning of policy framework, strategies and implementation of rehabilitation in the programmes
3. To ensure that the coastal communities would hold their traditional rights over coastal land, and to prevent alienation of such rights under cover of resettlement, rehabilitation and long-term development
4. The 200 m CRZ area should be declared as common property resources for the coastal communities.
5. Speedy and effective measures should be implemented to restore the potable ground water in the salinated areas.
6. The public distribution system should be restored.
7. Government should find way for immediate and long term alternatives for people's livelihood.
8. Cultivation of mangroves and other trees should be encouraged on the coastal belt. This will also generate employment opportunity for people.
9. Government should take immediate steps to repair the damaged temporary shelters due to monsoon and tidal waves, if need be, relocate the temporary shelters.
10. Compensation should be declared for the partially damaged houses. The permanent houses need to be rebuilt immediately.
11. Hygiene and sanitary conditions need to have immediate attention. Damaged and blocked toilets must be repaired immediately. Most of them are due to water clogging and seepage.
12. Government must continue the assistance given in terms of cash and food provisions in the affected areas until complete rehabilitation has taken place.
13. There is a great threat of water-borne diseases and other epidemics with the onset of monsoon. Government must take serious measures to tackle this threat.
14. Temporary employment should be provided till they regain their traditional livelihood.
15. Privacy and safety of young girls must be guaranteed in the temporary shelters.
16. Education of children should be given serious attention.
17. The nuclear family system must be considered as the criteria for relief provisions



and compensations, including shelter, food provision, nutrition, and livelihood.

18. Assistance to widows is generally diverted to the late husband's family. This should be rechannelled.
19. Families without legal entitlements and should be provided legal entitlements should be provided documents to claim compensation and relief packages.
20. Proper criteria should evolve for fixing compensation and damage of assets based on proper scientific assessment study.
21. Tsunami survivors' participation should be sought for designing and implementation of shelter constructions.
22. Concession of bus travel, school fees etc. promised by the Governments is not implemented immediately.



## 2. Findings of the Jury

**T**he Jury was presided over by Justice H.Suresh, former judge of Mumbai High Court and was assisted by Ms.V.Mohini Giri, former Chairperson of National Women's Commission, Justice D.Sreedevi, former judge of Kerala High Court and Dr.Gopal Guru, Professor of Political Science, Jawarharlal Nehru University.

### Final Report

A copy of the Interim Report was sent to the Governments of Kerala, Tamil Nadu and Pondicherry. We received no response. We are, therefore, forced to arrive at our own conclusions.

### 1. Violations of Human Rights

**1.1** In our Interim findings on the People's Tribunal, we had said this is not a mere disaster it is the "Worst Violation of Human Rights". We are of the view that what happened in these areas was not just a disaster. It was much more than that. It was and continues to be the worst violations of Human Rights of people. So large in number and on a scale as had never happened before. The Government must consider that there where people lost their lives, it was not just the death of some people here or there. Many people lost their earning members in the family. Many women became widows, within a few minutes. Many children became orphans. Many parents lost their children. So also when people lost their homes their boats, their nets and other properties, they lost everything. When they lost their properties, they had lost their right to livelihood, children lost their right to Education. Above all they lost their right to live with Human Dignity. Therefore all these aspects and violations and deprivations of Basic Human Rights will have to be kept in mind. Unfortunately, the approach of the Governments concerned failed to take into account these perspective at all. For the Government it is still a disaster management plan. The emphasis should be on rehabilitation - rehabilitate homes, rehabilitate sources of livelihood, children's rehabilitative right to care and education, rehabilitation of every one of them with Human Rights that are their due share.

**Dignity and Rights:** A member of the expert panel pointed out the Constitutional Rights of the disaster victims to compensation and proper rehabilitation as enshrined in Article 21 of the Constitution of India. The Supreme Court has repeatedly reaffirmed that the



Right to Life does not mean the right to mere survival but a right to dignified human life. This includes the right to food, clean water, access to health facilities, livelihood, shelter and education. Several testimonies by the survivors narrated how the legally binding rights and the morally binding principles have been violated by sheer neglect. The delays in rehabilitating the victims, as expressed in the testimonies, amount to gross violation of their rights to relief, shelter, work and food.

The State Human Rights Commission and the National Human Rights Commission have also abdicated their responsibilities. No one seems to be bothered about where the funds have gone and how they are being utilised. The public hearing also revealed that the entire process of rehabilitation was carried out without adequate participation of the affected people and compensations were paid as if patronage or charity and not as a right. One of the participants summed up the prevailing mood in the following words “what we need is relief with dignity, and rehabilitation and development as a right.”

1.2 After detailed analysis of all the materials placed before us, we have now no hesitation to reiterate those observations.

1.3 Very often, the State considers that all natural disasters are an *Act Of God* and the State has its usual disaster management plan. In many states it is a part of the Revenue Department working under old codes and rules, which are totally inadequate. The disaster is not in the nature's fury. The Nature has its Rain, Thunder, Cyclone, Hurricane, Tsunamis or Earthquake. With the modern technology, most of them could be foreseen. The disaster is in the after-effects of nature's wrath - be it Tsunamis, Cyclone or anything. If the Government has failed to foresee, it is worse. The disaster is in the Governments failure to restore and rehabilitate normalcy within the shortest time possible. It is this situation that should be recognized as a situation of worst violation of human rights.

1.4 It is, here, Article 2.1 of the International Convention on Social, Economic and Cultural Rights stands invoked. The state has an obligation to demonstrate that every effort has been made to use all resources that are at its disposal. It also has to spell out the strategy, which would enable realization of the objective - namely, full realization of the rights, and not merely temporary measures, as rapidly as possible, with a time frame to meet the goals. All disaster management plans are very often an ad-hoc plan and remain so permanently. Without ever achieving as a temporary measure, full rehabilitation of all victims have been lost. That is because these plans have no human rights approach.

1.5 As one of our panel members stated, Prioritising human rights in helping rebuild the tsunami-affected communities is important, not merely to ensure their long-term survival, but to also provide an opportunity to address long-standing human rights issues in these regions. In other words, injecting human rights into the current discourse of recovery, can ensure that tsunami victims get much more than compensation and are assured a vastly better future.



## 2. Right to Relief

2.1 We repeat what we had said in the Interim Report. The State Governments of Tamil Nadu, Pondicherry and Kerala, in particular and the Central Government in general seem to have forgotten that Right to Relief in the case of Human Rights Violations, itself is a Human Right. That is what Article 8 of the Universal Declaration of Human Rights says. "Everyone has the right to an effective remedy". Again, Right to Relief means that Right Relief is given to Right People at the Right Time and in the Right Way. What we have heard from the testimonies of the people and what we have seen on our visit to various sites, only confirm that the Governments are either ignorant or indifferent to the very concept of Right to Relief, as a matter of Human Right. Right to relief is not a charity, but a Right which the Government is bound to recognize. Five months are over, soon the monsoon will come in these areas with what vigor and impact, we do not know; we are sure that will lead to another disaster, but this time the State will have to be held wholly responsible, both under the Constitution of India and under International Humanitarian Law. It is regretted that even at this stage the Governments have not shown any sense of urgency to come to the rescue of these people.

2.2 Relief does not mean temporary shelter and payment of some compensation to some of the victims. It also does not mean distribution of clothes or a few kilos of rice or a few litres of kerosene. Some had been given a sum of Rs 1000 for the months of February, March and April.

2.3 The general complaint was both the State Governments and the Central Governments had failed in the matter of relief.

2.4 We were visiting the area after five months of Tsunami. We expected the governments to have by that time a concrete plan setting out what relief to do, so that every victim is rehabilitated in all aspects of his/her life. Unfortunately no such plan was found anywhere.

## 3. Lack of Transparency

3.1 The Tsunami Victims at no stage have been consulted as to what kind of Relief can be had and how best their grievances could be solved. All schemes have been done without any reference to reality and without taking the people in to confidence. An arbitrary imposition of any scheme, is bound to be unsatisfactory, for the simple reason that is based not on the reality of the situation - e.g. Compensation has been fixed artificially without any reference to the actual loss or need, suffered by each individual. Some have been paid more and some have been paid less and there is no rational justification to the distinction. So also, there is no justification for distribution of any amount by way of dole for 3 months and just abruptly stopping. There is also no justification for excluding workers and petty traders, people who live by collecting and selling seashells, etc; from compensation. Above all there is no formulation of entitlements to the affected people. This lack of transparency rightly makes the people believe that the administration is corrupt and the sanctioned amount does not reach the rightful claimants.



3.2 One of the issues that came across the hearing repeatedly is the insensitivity of the relief measures to the condition of women and children. They were directed more towards distributional goods rather than restoration of persons and their ability to fend for themselves. Many people were profoundly traumatized by the experience. This was particularly the case with small children and adolescents. They lost sometimes not merely their dear ones but also their familiar world of associations and friendships.

#### 4. Right to Shelter

##### 4.1 Right to Shelter:

- a) Very many victims feel that they have been forced to live in temporary shelters for an indefinite time.
- b) The temporary structures are so fragile that they will all collapse in the coming monsoon.
- c) These structures have been so built that there is no privacy, particularly for women and children.
- d) There is no arrangement in these structures for proper water supply and the Government is indifferent to these situations.
- e) The toilets attached to these structures are in such unhygienic conditions that no human being can use them. The worst sufferers are women who have no choice but to use them, while men could go in the open area.
- f) There is no proper plan or policy to repair and upgrade the existing houses.
- g) In some cases people themselves were in a position to repair the houses but they have not been allowed.

4.2 There was a very big chasm between the pressing demands of the unprecedented massive disaster and the emergency preparedness and the political will of the state and the Central Governments to help the tsunami victims. The political establishment was sloppy, irresponsible and even careless. Initially, the state government of Tamil Nadu proposed to build houses for 1.5 lakh families at an average cost of Rs 50,000 per unit. They had asked the Center to grant Rs 750 crores but the center announced Rs 650 crores including Rs 50 crores for land acquisition. The state government sought to bridge the gap with contributions from NGOs and philanthropists who were interested in the housing scheme. On March 24, the Tamil Nadu Government unveiled Rs 1,950 crores rehabilitation policy in which about 1.3 lakh families would be provided with concrete houses at an approximate cost of Rs 1.5 lakhs each. Even if the government goes ahead with this project, it gives rise to serious questions and doubts among the fishing community in Kanyakumari district. The villages such as Kottilpadu and Singaravelar Colony near Colachel where the government had built hundreds of houses for the poor fishermen and fisherwomen were decimated. Not even a single house withstood the onslaught of the waves in these villages



and this gives rise to serious questions about the quality of the government construction. Ironically, no inquiry about this has been instituted until today. One hears so much about disaster-resistant buildings but there is hardly any in-depth discussions on designs, construction materials, cost-effectiveness, floods hazard-proof qualities and so forth.

The issue of permanent housing raises several questions relating to equity. Of primary importance is whether allocations will be made on based on loss, or based on the principle of equal housing, i.e., would a person who lost a hut be compensated with a hut, and one who lost a large pucca house be compensated with the same, or would everyone be given similar housing. Further, a large part of the affected people lived along the coastline, in densely populated settlements, whose legal land tenure status is uncertain. These people were considered to be squatters despite having occupied this land for generations. Many of them do not have documents to prove ownership, and thus stand the risk of being displaced from their original homestead. The situation is, in addition, complicated by the Coastal Regulation Zone Rules, which do not allow construction within 500 meters from the high tide line. State governments are arranging for relocation of fisher folk communities in new locations citing both the CRZ Rules and safety considerations as reasons. This will affect access to livelihoods (fishing) and also disrupts children's education. It is also necessary to keep in mind that relocation could often result in displacement of people originally living in the land acquired for the same.

Systematic attempts were being made to drive fishermen out of their traditional habitations. The Coastal Regulation Zone notification, 1991, aimed at protecting the coast and fishermen, was being continuously amended to suit the interests of industrial lobby. A survey by the National Fishworkers Forum revealed that there were 728 violations in eight of the coastal areas in Tamil Nadu. Dredging and reclamation by real estate developers was common and destruction of mangroves was also a big threat to the marine life. There was depletion of fish resources everywhere due to all this and the fishing communities were struggling to survive. After Tsunami the CRZ violations have increased. It is ironical since the CRZ was aimed at protecting the coast and fishermen; today the same CRZ is used against the fishermen to drive them away. However, the fishermen do not want to live far away from the sea as it would be hard for them to monitor the fish movement if they are displaced from the shoreline. The fishermen feel they cannot afford to lose the catch by remaining away from the shore. They also may have to monitor the safety of their boats and nets during high tides. It would be difficult for the womenfolk too to engage themselves in the post-harvest handling of fish with home and children far away from the workplace. The Tamil Nadu government's stand on the CRZ regulations, with regards to fisher folk's homes, is rather vague and confusing.

The issue of ownership is another area that needs looking into. Ideally, the title deeds ought to be in the names of both husband and wife. There are also debates on whether the ownership of the land should remain with the state, or ought to be transferred to the affected person. Of importance is also the construction of common facilities and community structures like health centers, childcare centers, etc., and of using local technology, skills



and labor for the actual design and construction, in order to serve the twin purposes of creating employment, and ensuring that the houses are suited to local conditions.

It is essential that the reconstruction of housing be a participatory process, involving the people in a rehabilitation effort that incorporates livelihood, social network and environmental concerns. Fishing communities are and can be made an integral part of any coastal environmental management plan, and all activities can be structured in a manner that does not deprive them of their livelihood. Community participation in reconstruction process is necessary to cultivate a sense of ownership and belonging, and to ensure that they do not feel further displaced and marginalized.

At this point in time, people have no clear idea as to where they can re-establish themselves and what support would be available from the government. This issue requires resolution quickly.

## 5. Right to Livelihood

5.1 We are of the view that the Governments have given scant respect for the Right to Livelihood of the people.

- a) For loss of livelihood, particularly of poor labourers, Dalits and others, the Governments have not allotted any amount by way of compensation for them.
- b) Even for the others such as owners of big boats, Catamaran, mechanized boats, the amount distributed has no relation to the amount needed for repairing.
- c) The Governments have done nothing to induce, instruct and train people for taking up other alternative means of livelihood.

5.2 We found, in particular, that the Government had no satisfactory scheme of restoring livelihood of the people.

- Loss of Boats
- Inadequate compensation for repairing boats
- Providing for other means of livelihood

Those whose boats have not been registered have not been given any help. So also the workers who build boats have received no support. In some areas, agricultural workers have not been given any support. Dalit groups who have lost their land and cattle are without any means of livelihood. Similarly those who sell fish or sea shells have not been given any compensation.

5.3 Relief and rehabilitation efforts have been targeted at the most visibly affected – the fisher community; and compensation has predominantly been based on losses of life or property, leading to the exclusion of many groups, and of people who are unable to show tangible proof for losses, but who have suffered loss of livelihood.



5.4 We would like to emphasize that the denial of the Right to Livelihood amounts to denial of Rights to Food. Article 25 (1) of the Universal Declaration of Human Rights says: "Everyone has the right to Social Security, in the event of unemployment, sickness, disability, widow-hood, old age, or other lack of livelihood beyond his control". The key words are "Lack of Livelihood beyond his/her control, large number of people lost their livelihood beyond their control". It is here the Government has an obligation to come with social security and assistance to each and everyone till he/she is provided with an adequate means of livelihood. The disaster management plan has no such component at all.

## 6. Women's Rights

6.1 The governments have failed to recognize that women's rights are Human Rights. By and large, women were not recognized as claimants for compensation. In fact, many women working independently either in small scale shops or as labourers in farms etc. were not included in the Tsunami hit list. So also since women were not recognized as individuals with Human Right, they are the worst sufferers as mentioned above, under the heading "Right to Shelter".

6.2 From time immemorial, fishermen go for fishing in the early morning and come back with their fish at around 8 am. On the shore, the women with children await for their men to bring the fish and it is usually the responsibility of the women folk to process and market the fish. The children used to play happily on the beach from time to time. Available information on the loss of lives clearly explicates that the killer waves claimed more women and children.

From the testimonies presented at the Public Hearing, we can ascertain that Women faced the maximum problems after the Tsunami. The temporary shelters had no room for privacy and no space between the shelters. The sanitation facilities, such as, bathing spaces and latrine, were very bad and were not usable in some cases. Life in the relief camps has been found to be a source of continued trauma for women. Separate toilets, recreation space, cooking sheds, firewood storage facilities, place for drying clothes and space for cleaning kitchen utensils have been identified as the major areas of concern for women. Nevertheless, given the dominant norms of socialization, women are hesitant to push for or even express their needs, and silently cope several problems, including sexual and physical harassment by men in the camps, particularly near the toilets.

Widows in Nagapattinam have rarely been allotted separate shelters, they are made to stay with relatives, who are often, after the women's compensation money. There are problems related to women's health needs – pregnant and lactating mothers do not get adequate nutrition or healthcare facilities, inadequate supplies of water and sanitation make women susceptible to reproductive and urinary tract infections, and often women and girls do not go for medical check ups, organized in the relief camps as the doctors are all male, and the facilities lack in privacy. In the economic sphere, women are being put at risk of sexual exploitation and dependency because of the loss of income and the inability to access



cash. Orphaned girls are being married off at young ages by relatives or community members who do not want the responsibility of taking care of them. The vulnerability of women has been further accentuated by gender-insensitive relief and rehabilitation policies. Women's work has not been recognized in most rehabilitation programs. Women, typically were involved in processing and marketing of fish, or in non-fishing jobs, like, collecting shells or running food stalls. They rarely owned property or any assets, and were usually employed in the informal sector. Livelihood rehabilitation measures have focused on the fishing sector and related loss of boats, thus ignoring the livelihood issues of women. Often relief and rehabilitation packages have been issued based on lists made by the Fisher folk Panchayats, which are turf of men, with the result that women have not had access to relief measures at all.

6.3 This blatant disregard for women's livelihood concerns could prove disastrous among the poor, because many of these women may well be the sole earners in their families. In any case it is widely known that women's earnings generally go directly towards meeting the basic needs of their families, while a substantial proportion of many men's earnings is often spent on personal habits such as drinking, smoking and gambling. In fact, fishing being a seasonal occupation, women's livelihood activities are critical to the household economy. The situation of widows, single elderly women, of destitute women and of families with women heads is particularly risky in this context, as they simply may not receive the assistance required to survive and rebuild their lives.

In situations, where women do get compensation and relief packages, it is being seen that relatives try to take over and dominate, in an effort to divert the money to themselves. Proper economic counseling and guidance is required to avoid this. Women have also had problems accessing relief measures, including rations and compensation, as families, properties/assets and papers are usually registered in the man's name.

As the experiences till date show, it is vital that gender-disaggregated information be collected before determining relief and rehabilitation packages. Protection of women from sexual exploitation and the prevention of creation of dependencies are of prime importance, but at the same time, it is important that women are perceived as citizens with specific perspectives, and not as vulnerable victims. Women's livelihoods must be prioritized and earning opportunities must be made available to them. The long-term impact of the change in gender balance must be considered in the formulation of all policies and programs, with the view of promoting women's rights and protecting their interests.

## 7. Children's Rights

7.1 The government has again not bothered to take into account, the Rights of the Children, as mentioned under the convention of the Rights of the Child, even though India has accepted the said convention. The temporary structures wherein the people have been forced to live are unfit for child survival. The unhygienic toilets and the condition of the structures would sooner or later result in breakout of epidemics.



Moreover, we found no plan on the part of the Governments to give them medical facilities. There is no plan to rehabilitate or give trauma assistance to children. There is no serious thought as to what would be the fate of the children with regard to their schooling, particularly living in those structures in the coming monsoon.

7.2 Women and children in the temporary 'refugee camps' also face peculiar risks of being vulnerable to sexual and gender based violence, the risks also include domestic violence, child abuse and violence caused by alcohol. There is gender discrimination in the camps with men being given the role of the head of the family in receiving assistance and food in the camps. Often, food is denied to women and children by the drunken head of families.

7.3 The victims of Tsunami are housed in make shift tin-sheet sheds which become inferno during the day with the sun shedding its relentless rays. Many of them have fallen ill with scabies, psoriasis, chicken pox, Hepatitis, eye diseases and stomach ailments because of the in-sanitary conditions of the living. These open sheds also do not provide privacy for the women, even for a change of clothing.

According to the United Nations Children's Fund (UNICEF), children account for a third of the casualty. In some districts of Tamil Nadu, the casualty was an overwhelming 50 to 60 per cent. Aid organisations estimate 1.5 million children dead, orphaned or made homeless in the disaster.

In any disaster, the situation of children requires special attention given their inherent vulnerability. In the tsunami, children who have survived have had to deal with the trauma of seeing their family, friends and homes being washed away. Their family, the support system they would normally lean upon in times of crisis, is not available, leaving their present and future very uncertain. Children who saw huge waves had since then been frightened. They would startle at every slight sound, be afraid of going to the beach or to school and cling to their parents for fear of losing them. They need effective professional help. According to paediatric psychiatrists, as the experience of the tsunami is so dramatic, extreme, sudden and even life-threatening, it is imprinted on the child's memory. This deeply embedded event is a disturbance that the child carries with him or her at all times. Long-term consequences include fear, vulnerability, depression, anger and sleep disorders, as well as repeated re-living of the event itself.

Cases of children suffering from under-nourishment were reported in several villages. To answer this situation, the state government of Tamil Nadu came up with the idea of distributing *nutri-mix laddus* (with folic acids, micro-nutrients and iron tablets) to the affected children. But the mix was unpalatable and also caused indigestion among some children.

The number of orphans was not known in most coastal villages and the authorities waited for the schools to reopen in order to do a headcount. The Tamil Nadu government decided to open state orphanages in hurry as soon as Sonia Gandhi announced that the Rajiv Gandhi Foundation would adopt the orphaned children. These orphans have been removed



from the familiar coastal environment and culture and accommodated in state orphanages run in distant town and cities. Such an uprooting only adds to the confusion and trauma of these children. Displacement and wrecking of young lives by the state have to be opposed strongly.

## **8. Dalits, Adivasis and other excluded communities**

**8.1** The ongoing process of post-tsunami relief and rehabilitation has seen the exclusion of several groups of people, because of both sheer ignorance and oversight on the part of relief planners, as well as active discrimination by dominant groups.

**8.2** Landless labourers, tenant farmers, fish and boat workers, salt-pan workers, street vendors, petty traders, tailors, barbers cobblers etc. who have lost everything, have been side-lined, and disregarded.

**8.3** In some cases, where relief was to be given through Panchayats, Dalits and women who were not shown as members, have been excluded from getting any relief. It appears that in the list of Tsunami affected villages, Dalits have been left out, in many areas.

**8.4** The deliberate exclusion of the Dalits and landless by the rehabilitation policy amounts to violation of constitutional obligations, and amounts to discrimination.

## **Recommendations**

### **1. Needed Human Rights Approach**

The Government should realise that it is not a mere matter of disaster management plan. It is essentially a matter of obligation to respect, protect and fulfill the Human Rights of these people affected by Tsunami and we repeat what we have said in our Interim Report

#### **1.1 Re: Policy and Community Consultation:**

- a) The governments should re-formulate the policy of disaster management, on the basis that the entire scenario is one of large scale Human Rights violations and the governments have an obligation to attend to these violations in real earnestness and with a sense of urgency. The governments should realize that what has happened here is internal displacement of large number of people. There are UN guiding principles in relation to internal displacement of people, which the government should take into account and formulate their policies accordingly. No wonder that all disaster management plans, sans human rights approach, have failed and are bound to fail.
- b) The Government should, in consultation with the people, reformulate the policies in accordance with the need of the people affected by Tsunami, primarily on the basis of restoration of peoples' livelihood.
- c) The government should constitute in each Village Grievance Cell consisting of men and women with a named officer of the Government, who shall be able to attend to the grievance properly.



- d) The Government should give all information, regarding the funds allotted to each village, the entitlements, the plans to rehabilitate, and from time to time, disclose how these funds have been spent. For this purpose of management of funds, we suggest the constitution of Village Community Fund to be managed by the Village Panchayats, so that the funds collected by the Governments are not diverted for other purposes than rehabilitation and no fund is misused.
- e) The Government should ensure that the coastal communities would hold their traditional rights over coastal land and to prevent alienation of such rights under cover of resettlement, rehabilitation and long-term development.
- f) The 200 m CRZ area should be declared as common property resources for coastal communities.
- g) Government should find way for immediate and long-term alternatives for people's livelihood.
- h) Government must continue the assistance given in terms of cash and food provisions in the affected areas until complete rehabilitation has taken place.
- i) Remedial measures to safeguard the coastal environment and to save the coastal and farm lands from further damage should make sure that coastal policies and projects must be designed, implemented and evaluated strictly in consultation with the local people with transparency, accountability and popular participation. After all, much of the coastal ecological damage is done by the state and the union governments' commissions and omissions.

## 1.2 Re: Reconstruction of homes

- a. There shall be no forcible eviction of anyone from the existing damaged homes or on the ground that they are all within 200 or 500 meters of the high tide level. Coastal communities have lived on the coast and they need not be evicted. If necessary, the Government should consider erecting Rubble Mounted Sea Walls (RMS) ripraps, groynes, hook-shaped jetties and dykes across the sea. We consider the proposal to construct walls on the seashore is neither feasible nor advisable and will affect the livelihood of the coastal communities. Instead, wherever possible, Government should consider growing mangroves, caswina trees etc which will act as a barrier against high tidal waves.
- b. Since the temporary structures are so fragile, the Government should immediately solve this problem of the People's right to housing. Government should take immediate steps to repair the damaged temporary shelters due to monsoon and tidal waves. The permanent houses need to be rebuilt immediately.
- c. For the purpose of building homes, the Government should arrange with the Banks and financial institutions, to grant soft loans, repayable with long-term facility on a



low rate of interest. There could also be community structures, like health cultures, child care centres, community halls etc. which can be organised by the people themselves which would also provide employment for those who are without any source of income. It is essential that the reconstruction of housing be a participatory process, involving the people in a rehabilitation effort that incorporates livelihood, social network and environmental concerns.

- d. It is equally important that every person who has lost his home, be it authorised or unauthorised, and which he has any documents or not, should be given security of tenure and proper entitlement.
- e. Regarding the temporary structures, we are not sure whether they exist or not, as this report gets under way. However, as long as people are forced to live in temporary structures, the following should be done on a top priority basis:
  - i. Arrangements should be made for privacy for the women
  - ii. The conditions of the Bath-rooms / lavatories should be improved so as to make them more hygienic
  - iii. Proper drainages should be there
  - iv. Arrangements should be made by the government at its cost to supply adequate water for the residents
  - v. Medical facilities and health services should be made available

### 1.3 Means of Livelihood

- a) If the Government should reformulate the entitlement policy, then everyone who is deprived of livelihood, should be given assistance, particularly in the next few months when due to monsoon people's earning capacity will be further reduced.
- b) All workers who are desirous of working in areas other than the sea should be given opportunities to work, for which the Government should have a proper framework.
- c) Reconstruction of boats, big or small, their nets and other tools should be the top priority for the fishermen. Apart from compensation for such purpose – which as we have seen, is wholly inadequate, the government should consider arrangement for soft loans.
- d) There should be an all-out effort to identify all others – labourers, vendors, dalits etc-who have lost their means of livelihood, should be identified and apart from compensation, they should be made to involve themselves in similar or other types of work so as to make a livelihood on their own. They could be involved in cultivation of mangrove and other trees as a means of employment.



- e) Livelihood rehabilitation programs need to address the concerns of all the affected communities, and need to intervene at a number of levels. Interim relief measures like food/cash-for-work programs<sup>1</sup>, as well as gratuitous relief for people who are not in a position to work, for instance, the elderly or disabled, must be put in place so that long-term rehabilitation and reconstruction of assets can proceed simultaneously in a well-planned manner. These programs could also be incorporated in the larger reconstruction plan. Infrastructure<sup>2</sup> redevelopment may be necessary - for instance, rebuilding jetties, packing sheds, port facilities, irrigation systems and manufacturing/processing facilities, and establishing market linkages. For the agricultural sector, interventions to desalinate land and water bodies are crucial. Skills training facilities, opportunities to set up micro enterprises and supportive financial institutions need be provided to allow changeovers to alternative forms of employment for people who wish or need to do so. At this juncture, it is necessary to mention that many people attempting to get loans from banks and other financial institutions to repair rebuild and reestablish their occupations are being stonewalled due to their inability to provide collateral. This makes them turn to informal systems of financing, like village moneylenders, pushing them into a life-long debt trap. Issues relating to old debts, loans and insurance also need to be addressed.

#### 1.4 Women

- a) The government should seriously reconsider its policy of giving compensation, mostly in the name of men. While granting compensation, the government should ascertain the number of women and children dependent on men and how to safeguard the interests of all.
- b) While granting compensation, due recognition of the work done by women should be kept in mind, and their livelihood issues cannot be ignored. Amongst the fisher-folks, women do non-fishing jobs, such as marketing, collecting shells, or running food-stalls. In the case of other women, they earn by doing domestic work or as agricultural labourers, and sometimes engaging themselves in self-employed vocations, like tailoring etc. No house-hold economy is complete without women's livelihood activities. It is therefore, necessary that any programme of rehabilitation or compensation should take these things into account.
- c) There are also large numbers of women who became widows and they must be given all out assistance to re-build their homes and to survive and re-live as before

#### 1.5 Children

- a) There should be a proper survey of children, dead, or orphaned or made homeless
- b) The UNICEF has outlined four areas of priority in the relief and rehabilitation of children survivors of the tsunami. In terms of relief, the special nutritional, sanitation



and health needs of children need to be addressed, focusing on communities where relief is hard to access. Providing care for separated children is of importance, with the emphasis being on locating their family or community and reuniting them. Addressing trauma related problems in children, helping them cope with it, and getting them back to school is another fundamental priority. Protecting children from exploitation is a yet another key area of concern.

- c) Tsunami affected children should be given free education up to 10<sup>th</sup> standard both in Government schools and in private ones, with free books and uniforms.
- d) In every village there shall be a Primary Health Centre. Also create childcare centers to help children study and also for psycho-social help. Wherever possible, a multi-disciplinary team of Pediatricians, Child Psychologists, and Counselors to deal with Trauma and Protection, should be made to go round the villages, from time to time.

## 1.6 Health

- a) The victims of Tsunami are housed in make shift tin-sheet sheds, which become inferno during the day with the sun shedding its relentless rays. Many of them have fallen ill with scabies, psoriasis, chicken pox, Hepatitis, eye diseases and stomach ailments because of the in-sanitary conditions of the living. These open sheds also do not provide privacy for the women, even for a change of clothing.
- b) In health related relief and rehabilitation, the issues of water, sanitation, vector control, disease surveillance and preventive health are of prime concern. Public health in the context of the monsoons needs special attention, with preparedness activities to include raising of toilet platforms and soak pits, water proofing shelters, taking measures to avoid water stagnation, etc. On a longer term, provision of safe drinking water, particularly in light of the fact that many surface water bodies have been made saline by the waves, is a vital component of any health program. Sanitation – solid waste and toilet – facilities, that look into the special needs of women, elderly, disabled and children, at both the temporary camps and the permanent housing sites, must be provided. Structures for regular monitoring and reporting of health status of affected populations must be put in place, focusing on women's health and on communicable diseases, and providing support for chronic conditions. The special nutritional needs of children and pregnant/lactating women also require attention.
- c) Health programs must have a strong mental health component. The tsunami has left survivors with permanent emotional and psychological scars. Women, who were with their children, when the tsunami struck but were unable to save them go through feelings of guilt, grief, hopelessness and have either attempted suicide or developed psychotic reactions. Among children, anxiety and panic, feelings of insecurity, refusal to leave their parents and go to school have manifested



themselves in the form of nightmares and disturbed sleep. Those who saw their siblings or friends washed away, or lost close family members, or those orphaned and shifted are especially vulnerable, particularly as they are now without support systems<sup>3</sup>. The heightened stress experienced by survivors due to exposure to high levels of loss, death, human suffering, injury, mistreatment and abandonment, impinges on their processes and concentration, interferes in their ability to experience the usual range of felt emotions, manifests in physical symptoms and impacts on the quality of interpersonal relationships<sup>4</sup>. Mental health interventions that address these issues must incorporate both professional counseling services and the building of social networks that provide support from within.

## 2. Funds

- a) We are aware that large funds have been collected by the Government, sufficient enough to take and fulfill rehabilitation programmes without any delay. It is unfortunate that the benefit of these funds has not reached the tsunami-affected people. We therefore expect the State Governments and Central Government to publish the particulars of the funds received and the disbursement of the funds. In fact this will come within the scope of the Right to Information Act and the government should be fair enough to share this information with the people.
- b) As stated above, the funds should be allotted and distributed to the Village Community Fund.
- c) In any event, the Government should establish Coastal Development Banks that should, in turn, help the people, in re-establishing their homes and their livelihood.

## 3. Inaction on the part of National Human Right Commission (NHRC) and State Human Right Commission (SHRC)

We fail to understand how and why the institutions like Human Rights Commissions have abdicated their responsibility in looking into these violations of human rights of such a large number of Tsunami affected people and also not being actively involved in the matter of rehabilitation.

We urge upon NHRC and SHRCs of the States concerned to seriously intervene and come to the rescue of the people.

We have no clue regarding the utilisation of the huge amounts of relief money collected by the governments of Tsunami affected states. The NHRC would have been the best institution to monitor the flow of money collected by way of relief and to supervise proper disbursement to all the victims.



- 1 Experiences with the Food for Work program after the tsunami have not been very positive. Under this scheme, people have to identify suitable work, prepare a proposal, get it approved by Ward members or the Panchayat President, and then submit it at the Collectorate for acceptance – all for 7 kilograms of rice and Rs.15 as daily wages.
- 2 ACDI VOCA, 2005, Tsunami Disaster Recovery – Concept paper, January 19.
- 3 Thara, Quick Focus on Mental Health: Disasters have Long-Term Implications on Traumatized Children, The Hindu, 13 March 2005.
- 4 Allan A., Psychological Support for Survivors of the Tsunami, 14 January 2005, University of Melbourne.



### **3. Findings of the Panel**

#### **i. From Relief to Recovery:**

##### **Post-Tsunami Human Rights Implications for India**

**Ravi Nair**

**T**he tsunami of 26 December 2004 caused serious devastation to the coastal region of southern India, killing approximately 15,000 people, destroying over 160,000 homes, damaging 83,000 boats<sup>1</sup>, and causing the loss of income and livelihoods of at least 100,000 persons. Post-tsunami relief operations run the risk of exacerbating the impact of the disaster if they do not adequately and sensitively address issues that demand more than a simple humanitarian response.<sup>2</sup>

Over 2.5 million individuals have been affected by the tsunami in Tamil Nadu, Andhra Pradesh, Pondicherry, Kerala and the Andaman and Nicobar Islands. It must be recognised that such a sizeable chunk of India's population has diverse needs and faces a plethora of problems specific to their occupations, locations and identities that may not be sufficiently addressed by a single relief policy. While several international and domestic organisations and the Government of India have made commendable contributions to the relief effort by providing resources to address the immediate needs of the tsunami victims, much remains to be done in the area of building a sustainable framework within which tsunami victims may be permanently rehabilitated. Numerous reports have surfaced in the past few months documenting emerging problems arising from the relief operations themselves, the most notable of which are consistent discrimination in the distribution of aid and rehabilitation services and unsustainable solutions to relocation and insufficient means for livelihood.

Prioritising human rights in helping rebuild the tsunami-affected communities is important, not merely to ensure their long-term survival, but to also provide an opportunity to address longstanding human rights issues in these regions. In other words, injecting human rights into the current discourse of recovery can ensure that tsunami victims get much more than compensation and are assured a vastly better future.

#### **Emerging issues**

Participatory planning, linked to international and domestic human rights obligations, will



be crucial to the success of the reconstruction process. Invoking India's obligations under legally binding treaties such as the UN International Covenant on Economic, Social and Cultural Rights (ICESCR) and the International Covenant on Civil and Political Rights (ICCPR), both of which India acceded to in 1979, can ensure that accountability and obligations supersede 'charity' under the guise of humanitarian assistance.

Housing and restoration of livelihood are two of the most crucial issues that must be dealt with, both of which fall under the purview of the ICESCR. It must be noted at the outset that the core minimum standards relating to economic, social and cultural rights enshrined in the ICESCR are to be respected irrespective of economic burdens or capabilities by states parties. The Government of India's refusal to accept foreign government-to-government aid after the tsunami makes an even more compelling case for the full realisation of all the rights enumerated in the ICESCR.

### *Protection from Discrimination*

As relief efforts have progressed during the past six months, several problematic themes in rehabilitation efforts have emerged, spanning a variety of issues. Discrimination has proven to be the largest systemic problem pervading every aspect of relief and recovery measures. Article 26 of the ICCPR to which India is a party, states that "equal and effective protection against discrimination" must be granted to all persons before the law. However, discrimination against women in the distribution of scarce food and medical supplies, against tribal groups with regard to compensation or property rights, and against dalits, effected through the provision of separate relocation facilities, or none at all, are just a few examples of how resource redistribution in tsunami-affected areas may have exacerbated existing inequities.

The fishing industry – i.e. not only fishermen and women but all those connected directly or indirectly with the process of catching, sorting and cleaning fish – has been widely acknowledged as one of the worst affected groups. Yet the recognition of their particular plight has yet to receive adequate international exposure either in the media or through the good offices of non-governmental organisations.

### *Right to Work*

The loss of livelihood, not only for fishermen, but for farmers, agricultural laborers, artisans and craftsmen and other members of the affected coastal communities has been one of the most serious repercussions of the tsunami. The Joint Assessment Mission (JAM) of the World Bank, the Asian Development Bank and the UN estimated that 38 percent of total damages and loss pertain to livelihood.<sup>3</sup> Article 6 of the ICESCR firmly enshrines the right to work in stating that States parties must include "the right of everyone to the opportunity to gain his living by work which he freely chooses or accepts" and must take "appropriate steps to safeguard this right".<sup>4</sup> The Government of India must take seriously its responsibility to the victims of the tsunami by recognising that the first step towards normalcy in tsunami-affected areas is the restoration of means of livelihood.



Although compensation and financial assistance will go a long way in alleviating immediate economic burdens, such measures will not lead to the reinstatement of old professions or new forms of livelihood to replace the former. In addition, adequate funds must be distributed for repairing damaged machinery or implements, such as boats or farming implements. Further, if some individuals wish, or are compelled to, undertake a new profession, some form of training or instruction must be made available to them.

Appropriate measures must also be tailored to suit the specific requirements of each of these groups. For example, in an interview with small farmers from different parts of Tamil Nadu, the farmers said they would prefer soft loans rather than subsistence aid, so that they may rebuild their farms, instead of using the aid to merely survive.<sup>5</sup> Several fishing communities have indicated that the construction of shelters for their boats and catamarans would be instrumental in protecting the sole means of their livelihood. Additionally, during consultations between non-governmental organisations and local communities, it was felt that monetary compensation must be supplemented by loans, subsidies and most importantly, technical advice on reconstruction procedures.

### *Right to Housing*

The UN Committee on Economic, Social and Cultural rights (CESCR) notes that the right to housing is “of central importance for the enjoyment of all economic, social and cultural rights”.<sup>6</sup> By implication, the disregard of this right paves the way for further human rights violations - which has in fact been the case in several tsunami-affected areas. Large numbers of people have been temporarily relocated to camps and shelters for indefinite periods of time, without any assurances of permanent rehabilitation. The structures have been decried as unsafe due to lax building practices attributed to their temporary nature. They also lack reliable supplies of clean water or hygienic toilets with efficient drainage systems.

Secure and safe housing for women has also proven to be a problem. The lack of privacy and unsuitable locations are particularly problematic for widowed women, single mothers or single women who do not have any immediate support network of family and friends, as they are most vulnerable to sexual harassment or assault. Orphaned children or children estranged from their families are also vulnerable to trafficking and forced labour, unless they are housed in safe, supervised locations. Ecologically sound and environmentally sustainable housing should also be made available.

Another significant problem is the forced and illegal eviction of tsunami-affected persons from partially or fully damaged homes or due to the fact that they are in breach of the 200-500 meter limit of the ocean as stipulated by the Coastal Regulatory Zone (CRZ) notification (1991). The Committee on Economic, Social and Cultural Rights - the body that monitors compliance with the ICESCR - has held that forced evictions constitute gross violations of human rights such as the right to housing and thereby the right to an adequate standard of living. While the Government of India has ostensibly issued the distance limitation



out of concern for coastal communities that were destroyed by the tsunami, it does not appear to have enforced the same limitations on luxury resorts and hotels that exceed the stipulated distance. The Government owes it to fishing communities to clarify this obvious anomaly, and act on it.

In addition, evicting fisher-folk and other community members from the coast not only leads to their displacement, but to the loss of their sole means of livelihood. The designation of a substantial portion of coastal areas by the CRZ notification as a non-developmental area should take into account the fact that fisher-folk use these areas for various activities connected with fishing, such as drying nets, collecting fish and securing fishing boats.

The immutable relationship between the right to health and the right to housing should also be noted. Dehydration, heat stroke, exhaustion, and water-borne diseases have been reported in Tamil Nadu and Kerala, in places where housing has been unsuitable or inadequate.

### Internal Displacement

The Guiding Principles on Internal Displacement are premised on the idea that “States bear the primary responsibility for persons within their jurisdiction”<sup>7</sup>. The Principles lay down the basic standards of protection that must be ensured to persons to prevent displacement and to protect displaced persons after displacement has occurred. The Principles also clearly set out the implementation of protection measures after natural disasters and list several emergent issues such as access to humanitarian aid, discrimination, forced relocation to or exclusion from camps, and loss of documentation.

Particularly, important in the Indian context, and as highlighted by UN Representative of the Secretary General on the Human Rights of Internally Displaced Persons, is the issue of property. The loss of property, of documentation relating to owned property, and the disappearance of previously existing demarcations of property due to natural disaster is common in the aftermath of disaster. In the case of small farmers in South India, resolving competing claims over property becomes a key issue given the already contentious situation of land rights in India. In addition to a separate body being established for this specific purpose, efforts must be made by the Government of India to address pre-existing inequalities, and recognise both customary and non-traditional forms of ownership such as those exercised by tribal communities.



- 1 Home Minister's Statement in Parliament regarding relief and rehabilitation of tsunami-affected people, 10 March 2005.
- 2 'Post Tsunami Challenges and Response People – People's Tribunal on Tsunami Disaster Relief and Rehabilitation'.
- 3 Dossier on Tsunami Disaster, Vikas Adhyayan Kendra, 2005. pg. 6.
- 4 International Covenant on Economic, Social and Cultural Rights, Article 6 (1). Available at: <http://www.ohchr.org/english/law/cescr.htm>
- 5 'Focus on fisherman, they fall off relief map', Nirmala Ganapathy, *The Indian Express*, 13 January 2005.
- 6 Committee on Economic, Social and Cultural Rights, General Comment 4, The right to adequate housing (Sixth session, 1991), U.N. Doc. E/1992/23, annex III at 114 (1991), para. 1, at <http://www1.umn.edu/humanrts/gencomm/epcomm4.htm>
- 7 'Protection of Internally Displaced Persons in Situations of Natural Disaster', A Working Visit to Asia by the Representative of the United Nations Secretary-General on the Human Rights of Internally Displaced Persons, Walter Kalin, 27 February – 5 March 2005.



## ii. Tsunami Jan Sunvayi: A Recapitulation

Valerian Rodrigues

### The Impact of the Disaster

**W**hat came through the tribunal very clearly is the complex social and occupational structure of communities in the coastal regions affected by the tsunami disaster. Often there has been a tendency in the media and official statements that the affected population in the region primarily consisted of fisher folk. Although the fisher folk constitute a significant section of the affected population the kind of emphasis on them as victims of the disaster is far from true. In fact the disaster has had differential impact on different socio-economic segments, which any credible relief management needs to take into account.

The fisher folk have borne the brunt in terms of human and material cost. Their sources of livelihood or means of production have been destroyed. The houses of many of them have been washed off. Whole communities remain fractured. There are many widowed women, orphaned children and the elderly without support. Besides the sea, their familiar theatre does not seem as benign as it used to be. Such a disaster of course requires a great deal of rethinking regarding the means of production, the source of production, the location of residence and the security of children, women and the elders. These concerns came through very strongly during the hearing.

But there are also other sections, which have been affected by the disaster. Significant sections of the dalits who have been dependant upon coastal resources for their livelihood have been badly hit by the tsunami. During the lean season, dalits and low caste communities used to frequent the seashore and backwaters, sometimes in small boats and at other times with small nets, to catch fish. Their livelihood accrued mainly from such a source. They also lived in shelters closely linked to those of the fishing communities. These sections have lost their livelihood and sometimes even their shelters.

There were small cultivators who did sometimes perennial, or often seasonal, cultivation just off the seabed. They sometimes dug wells at a distance from the salt saturated waters. The gushing of the seawaters in these wells and fields has made them far too saline to undertake any known agricultural production for the foreseeable future.



Affected too are small shop keepers, the boat manufacturing units and all those who were dependant upon the fishing industry in one way or the other. Women have been more affected than men folk.

Some of those institutions of modern times such as schools, libraries, community halls, playgrounds and religious sites too have been badly damaged. Their role in community reproduction and in envisaging a brighter future for the children has been enormous.

Although the issue has not been stressed in the hearing, the disaster impacted the sea resources in a big way. Large shoals of fish were washed to the seashore dead and among them were found rare and endangered oceanic creatures.

### Relief and Relief Measures

The government of India and the various affected state governments resorted to relief operations much more quickly as compared to their traditional record. Indian civil society was much more forthcoming in donating money and goods all over India. However such a response, particularly that of the government, was qualified in more than one respect. India did not have a policy regime on disaster management related to internally displaced persons. Therefore, a number of measures that were taken were ad-hoc and rested on the initiative and enthusiasm of individual members and groups. The Government of India was much concerned about its strategic and naval installations and this has been often cited as one of the major reasons for its reluctance to allow relief operations by external agencies. There were attempts to establish political leverage out of the disaster by trying to project one agency over the other, be it public or non- governmental. What came out strongly in the hearing is the non- involvement of the affected population in devising and to an extent executing relief measures for themselves. As a result a number of ill thought out measures was initiated in the affected region. Temporary shelters were built which were not conducive to the environmental demands. The constructions of toilets were particularly abhorring and were not gender-sensitive to say the least. Food and clothes often did not meet the requirements. The temporary sheds that were constructed for schooling did not measure up to the neighbourhood requirements and tended to exclude certain sections from among the affected. The money and grains that were distributed for immediate relief favoured certain social sections at the expense of others without proper deliberation on these measures. There was not much attention paid towards those sections who, while not affected directly, lost their livelihood. Few attempts were made to put people back into the productive process at the earliest and thereby upholding their dignity and self respect. In a word the relief measures smacked of paternalism.

One of the issues that came across the hearing repeatedly is the non- sensitivity of the relief measures to the condition of women and children. They were directed more towards distributional goods rather than restoration of persons and their ability to fend for themselves. Many people were profoundly traumatized by the experience. This was particularly the case with small children and adolescents. They lost sometimes not merely their dear ones but also their familiar world of associations and friendships.



One of the apprehensions expressed by a majority of the participants was clearing the seashores and the beaches for commercial exploitation. It was felt that the tsunami disaster might be employed by the government to push the fisher folks and communities dependant upon the sea to the interior and thereby delink them from their source of sustenance and in a way deskill them.

The inquiry suggested a few valid ways of handling disasters of this kind in the future. The participants showed a great deal of receptivity to modern technological equipment of forewarning and anticipation as well as reception to efficient disaster management system. However there were certain other suggestions, which seemed worth taking note of:

1. Growing and protecting mangroves, which have been subjected to intense commercial exploitation in the past few years.
2. Involvement of the community in the management of disaster of this kind.
3. Long term social policy of settlement that engages positively with such issues like caste, untouchability, etc. ensuring their annihilation.
4. Investment in the education of children. The disaster of this kind should not incapacitate the community as a whole.
5. Resource allocation and capacity building among women to the extent possible.
6. Making use of local resources and traditional skills for the reconstruction of the settlements and the destroyed or damaged habitats.



### iii. A Note on the Visit to Tsunami Affected Villages: Chennai to Pondicherry

Dr. Anand Teltumbde

The spate of reports of caste discriminations against the Dalit victims of tsunami that hit coastal Tamilnadu in December evoked natural curiosity in minds of many concerned people about the ground reality there. It is not because that was something unusual or unthinkable; in the land where caste is an all-pervading reality, discrimination is an integral part of Dalit life. However, the manner in which the reports highlighted it, there appeared something more than usual. Some instances of discriminations were reported even earlier in the wake of similar calamities, namely in the earthquakes in Latur and Kutchh, cyclones in Orissa coast and so on. But it was the first time that the stories of discrimination dominated the reports coming from the activists working there.

We set out to visit some villages to have a first hand feel of the reality. With an aide from RDS, one of the NGOs working among the Dalit victims, we visited around a dozen villages over a stretch of 50 kms. The relief camps of varying sizes ran along the road from Chennai to Pondicherry, with signboards of their patrons-the ubiquitous NGOs. What at first sight amazed me is that there was no sign of the State presence. It may be understandable for logistic reasons that the state channels its resources through NGOs, which are paradoxically supposed by the state to have better network on the ground than its own to reach out to victims in shortest possible time, but it is totally unpalatable to see its total absence even after five months. It was learnt that the state disbursed monies to victims and has been giving some monthly subsistence allowance. It may also be planning for long-term rehabilitation and so on. Therefore, it is said that it has relegated the relief work to NGOs. However, as an organ primarily responsible for peoples' welfare, the State cannot be expected to be completely invisible. The first shock to us therefore came from this total absence of the state from the site of tsunami.

Wherever we went, we were surrounded by some 15-20 people. Our RDS friend seemed to have indeed a good network in these villages. People immediately brought some plastic chairs for us in and narrated their stories. Most stories of discrimination related with the one-shot relief payment the state disbursed. While the fisher folk were given Rs. 4000, the



dalits were given Rs. 2000. In all other matters, that is, the subsistence allowance being paid to them, there was no discrimination. Therefore, one naturally wondered about the rationale for this differential one-shot payment. There was no one around to get a precise answer to this question but all the same it is not difficult to imagine that this payment must have related with the devastation suffered by the people. Everywhere, the fisher folk colony directly faced the sea and hence suffered the fury of tsunami severest. Dalits themselves told us that the houses and property of fishermen were completely destroyed; in terms of boats, catamarans, the fishing equipments, etc. Dalit colonies were far removed from the sea and hence the damage was very minimal. Therefore, if one related with damages suffered by tsunami, the differential relief given to people may be justified. If this logic in determining the amount of relief proportional to the devastation a victim suffered is followed by the government, one would expect a survey of damages as the basis for it. However, none whom we met could indicate any existence of such a survey or any such document. Even though broadly the devastation of tsunami corresponds to the caste configuration of village, it is certainly not acceptable that the government bases its relief on the basis of castes.

Another instance of discrimination, if one may say so, reported to us was in terms of resistance from the fisher folk to accept Dalits as co-victims. We were told that the vehicles that ferried the victims to shelters did not allow Dalits to get in. Even old women and children had to walk to these shelters. While the Dalits may not have suffered actual damages comparable with fisher folk, the initial reaction when tsunami struck created equal panic and people ran away for shelters not knowing what happened to their homesteads behind. In such a situation, facing a grim reality of caste discrimination could be said to be most unfortunate. At most places, we heard Dalits narrating similar stories. While one felt sad over these matters, these are but the reflections of deep-rootedness of the caste consciousness, which refuses to die even in the face of death. Even though fisher folks thought that Dalits did not suffer any damage and were unnecessarily crowding the relief camps partaking their share of relief, their reaction could not have been disentangled from the caste prejudice they reared for Dalits. Because, when this happened for the first time, it was not possible for anyone to know what exactly happened. It certainly reestablishes the fact in the 21<sup>st</sup> century that caste consciousness among Indians is so deep-rooted that it would not die even in the face of death.

While therefore one may be tempted to read this situation as a case of caste discrimination by the relatively upper caste fisher folks against Dalits, it is not good to end at that. Caste discrimination in the Indian society is a reality and hence to reiterate it may amount to making a non-statement. Therefore, one needs to go beyond this surface reality and search for the factors that permit these tendencies to surface. If one does so, one may again unmistakably see the state as a culprit. In such situations, the state should be in saddle to thwart such happenings. Contrary to the expectations of outsiders, if such calamities bring forth the innate goodness in human beings, they also throw up the basest instincts in them with equal probability. It is very necessary therefore for the state to be ready to curb such



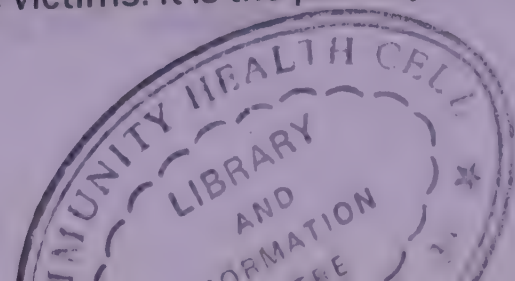
tendencies and ensure due support to those, who are likely to face social discrimination. It is the fact that for the crucial first two days, the state just did not exist. It was only the community volunteers that rushed to the rescue of victims everywhere. The responsibility of the state should be considered in its commission as well as omissions. It is the responsibility of the State to ensure at least during such times that the socially weaker sections do not suffer additional sufferings on account of social evils.

It is unfortunate that the NGOs taking cudgels for Dalits have created an impression that it was a case of fisher folk versus Dalits. Most people who talked to us reflected these sentiments. Some told us stories of traditional rivalry between them. They reported that the fisher folks did not let anybody with relief assistance to reach them. At least in one village we had a brush with this reality. As our car proceeded towards the Dalit colony we were slowed down by a group of youngsters of the fisher folk community near their relief camp and only when they realized that we wanted to go ahead they let us go. When we went to the dalit colony, we did not find any case of damage, although backwaters had entered some cottages. Dalits in this village were so poor that they hardly had anything to be damaged by the intruding waters. The sense of competition between fisher folk and Dalits as such appeared to us as an exaggeration. Some instances of discrimination may have happened; nonetheless it is not healthy to generalize it and pit one people against another for that. If at all, the state is responsible for such occurrences and all the blame needs to be heaped on it.

There is a clear case of discrimination at the hand of the State insofar as it is still not heeding the applications from Dalits that while they may not have suffered, as much devastation as the fisher folks have, but indirectly through the destruction of the means of their livelihood, their plight is equally bad. Many Dalits in these affected villages followed the same vocation as fisher folk, i.e., catching fish, crabs, etc., albeit in an unorganized manner and with cheap equipments. While the fisher folks have their societies and owned mechanized boats, Dalits did not have any such society and owned simple catamarans, which they used in backwaters. Others did crab farming, and worked on saltpans. It is said that there are as many as eighty vocations, which are associated with sea besides fishing and are practiced by other communities than fisher folks. Tsunami has affected all of them. It is pity that the government is unaware of this fact; otherwise it would have not restricted its relief operations just to fishing people. We have seen saltpans spoilt in tsunami strike—the entire area is filled up with sand, shells and mud; their bunds damaged, wells filled up, pump set damaged. To restore the saltpans people will need considerable sums of money. The crab farms similarly have been damaged and they too need investments to get them back in shape. These investments need to be made without any further delay because they are linked with peoples' survival.

One gathers an impression after visiting the areas that the relief operations are charity being extended by certain compassionate individuals or organizations. There is absolutely no reflection of the sense of responsibility of the state towards the victims. It is the primary

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responsibility of the state to protect peoples' property, lives and livelihood. The state may not be blamed for natural calamities like tsunamis, but the amount of damage that these calamities cause to people and property is a function of the development process, which certainly is the state's responsibility. Disaster management is certainly the responsibility of the state; if it had followed a proper disaster management plan, the woes of victims could have been greatly minimized. The state cannot be absolved from the basic responsibility for such a colossal loss of life and property that was suffered. Seen any way, the state should have conducted itself with a greater sense of responsibility towards the tsunami victims. On the contrary, the state did not have even a proper inventory of the losses suffered, even after five months. It has not even settled the issue of identity of the dead, compensation policy, rehabilitation plan, or the very basics about the transparency of processes. The state of tsunami relief operations as we found is a standing testimony of the callousness of the state.

### Recommendations

- The government should settle the issue of identity of the dead and next of kin.
- It should evolve compensation for death and disburse the payments to the next of kin quickly.
- It should take cognizance of special cases where livelihood of the survivors would be problematic (e.g. minor children, widows) and make suitable provisions for them.
- The government should undertake a thorough survey of the damages people suffered.
- The government should evolve a compensation policy for the damages suffered based primarily on restoration of peoples' livelihood.
- It may be erroneous to assume that people would be able to pursue their traditional vocations to earn their livelihood. Tsunami, it is reported, has changed the behavior of sea. The government should commission a survey to understand the consequences. It may have to plan for alternate jobs for the excess population from the tsunami-affected population.
- If for whatever reasons the government could not entirely fund the restoration of livelihood of people, it should arrange for softer loans to people with extended moratorium in payback of interest as well as principal.
- It should catalyze formation of peoples' vocational unions on the lines of fishermen's union and provide them technical and management inputs. It will be in the interest of the government too to securitize loans to unions than individuals.
- The government should also intervene in the matters of schooling of tsunami affected children. The private schools, we were told, charge exorbitant fees and do not



consider the inability of people to bear those. The government should bear these fees for the period of two years over which the earnings of people may be restored.

- The state should quickly come out with a housing plan for the people. The housing should take into consideration the democratic aspirations of people but should not give in to their caste and communal prejudices. The vested interests in both these areas have unfortunately been quite active among tsunami victims.



#### **iv. A Report on the meeting of the Voices from Margins – Especially on the Effect of Tsunami on (Agricultural) Land and Water**

**Dr. R. K. Sivanappan**

**T**he tsunami-affected people explained their miseries and problems for two days. Most of them are fishermen, Agricultural labours, and Dalits. Women were in large numbers.

The fishermen complained that they were not paid the needed compensation especially for the repair of their kattumaram, fiber boats etc. The announced help/assistance for the repairs/rebuilding of their homes have not been paid. The money paid for their livelihood is also only for 3 to 4 months at Rs 1000 per month.

Many women complained about the temporary shelter provided for the family as follows:

1. All families were in a common shed without any privacy for women.
2. The location of bathroom/lavatory is not conducive to use it.
3. Social life is affected.
4. Septic tank is overflowing and no water for cleaning.
5. Difficulty in educating their children.
6. The construction of their permanent houses should not be far away from their work place.
7. In many villages all the affected persons did not get help. Only some people were given relief measures.
8. Medical facilities are not sufficient/adequate.
9. In some villages ground water is polluted (salt water) and in other places only 2 buckets (kudam) of water was supplied and it was not sufficient.
10. Political interferences were there and the announced compensation/assistance was not given to the victims.



11. Many women complained that it was difficult for them to educate their children as the schools are insisting to pay fees for the school, though Government has waived it.
12. Agricultural labourers are not getting jobs in other nearby villages, as the lands in their village are affected by Tsunami and have no employment.
13. From the evidence, it is observed that there are conflicts between communities – no harmony in many places.
14. Only Revenue & Fisheries Department officials are visiting the village to help them and not departments like Agriculture/Ground Water/Forest Department etc.
15. One victim from Kanchipuram District told that they got all the compensation as promised.
16. Some wanted shelterbelts/tree crops to be raised on the shore to prevent from high waves in the future.
17. Many people do not know the help/compensation announced by the Govt for various activities/ items.
18. One or two observed that saltpan was closed by the silt/sand brought by the waves from the sea.
19. The total area affected may be about 20,000 ha. of which about 10,000 ha. may be agricultural land and thereby the livelihood of the farmers including farm labourers were affected.

#### Comments / observations

1. No one reported about the damages caused by the Tsunami waves to the agricultural lands, though in many villages, agricultural labourers lost their jobs due to sand/debris accumulation and sea water entering the land areas,
2. Water supply is provided by the Government in all the affected areas – not much complaint except one or two. But no one reported the pollution and ecological degradation and salt water intrusion, etc., due to Tsunami.
3. Problems like degradation of lands and sea water intrusion were not reported. Unfortunately, no farmer (small and marginal farmer) came to the meeting to tell their stories.
4. The entire length of coastal belt of Tamil Nadu except Sivaganga, Ramnad, Tutikorin/ Tirunelveli districts were affected upto 0.5 Km to 1.0 Km from the coast and the backwater for a longer distance.

Agricultural lands were affected/damaged in the following manner:



- a) Seawater entering into the agricultural land – making the crops dry up due to scorching (due to salt water)
- b) Debris spread to a distance of 0.5 to 1.0 km
- c) Sand deposits over the land to a depth of 3" to 15"
- d) Sand mound in some places in the agricultural land
- e) Sea mud (dark colour) saline soil spread to 3" depth in some places
- f) Skimming wells completely silted with sea sand
- g) Skimming wells completely filled with sea/salt water
- h) Gullies formed in some lands
- i) All the crops standing on 26<sup>th</sup> December completely destroyed
- j) The area affected was not exactly identified, though the Tamil Nadu Government has announced the relief amount of around Rs. One crore in 5 districts

The remedial measures required to rehabilitate the land and water (to the original conditions) are as follows:

- a) Sand deposits in shallow depth, upto 15 cm, can be reclaimed by adding silt taken from the land/tank outside the affected area and by ploughing with disc harrows
- b) Sand dunes can be removed by engaging poclain tillers
- c) The salt/saline land can be reclaimed by adding gypsum (quantity 300-500kg/ac) depending on the salinity – provide drainage and leaching with good water or through rain – reclamation may cost Rs. 5,000/ha or so
- d) Salt tolerance crops can be cultivated in the saline land like cotton, date palm, barley, pasture plants/beetroot etc
- e) Reclaim the salt water in the well/pond (affected by Tsunami) by pumping the water into the sea and allow the subsequent rainwater to percolate into the well/pond. In many places farmers themselves can do this operation
- f) Side pipes can be provided in the skimming wells (4 sides) to get more good water
- g) In Kanyakumari district reclamation to resist the disaster. Provide casurena belt 5 rows at 0.60 m interval and 0.52m row to row in a zig zag manner and create sand barrier to a height of 2 m after tree planting areas
- h) Restoration of natural vegetation like palmyrah etc - 2 to 3 m spacing and 3-5 lines may be planted in the coast. 3 parallel zig zag rows of palymyrah 50 m from the wave reach zone. Mangroves especially in the mouth of river joining the sea
- i) Cropping system, good fertilizer and water management may help to reduce soil salinity, but none of them can replace leaching by clear water as stated earlier



## v. People's Tribunal: Post Tsunami Rehabilitation Challenges and Responses

Anita Mathew

**V**ikas Adhyan Kendra Mumbai nominated Children's Rights in Goa (CRG) to be on the expert panel for Child rights for the tribunal to comment on the state of the children five months after the unprecedented devastation wrought by the Tsunami on 26<sup>th</sup> Dec.2004, one of the biggest natural disasters in recent times. The tribunal was held in Trivananthapuram, Kerala on the 28<sup>th</sup> and 29<sup>th</sup> May. CRG was represented by Ms. Anita Mathew.

Her report on the experience is as given below:

I was honoured to be part of the expert panel for the tribunal and of the team that visited Karunagapalli in Allapad District of Kollam along with Shri G.Shankar, Shri K. P. Sasi and Ms. Maglin Peter.

We reached the affected area on the 27<sup>th</sup> of May by road. Ms. Maglin Peter had been doing exemplary work with the children soon after the disaster and she filled me in on the state of rehabilitation rendered so far by Government and other agencies. I was appalled to learn that in Kerala, apparently the NGO community had stayed away. This has resulted in individuals like Maglin and her compatriot, a young girl Tamara, whose home is close to where the waves struck to be actively involved single handedly in the whole mission of rendering help and care to the children under extremely stressful and dangerous situations since there is evidence of strong political interference in the area. They were warned to stay out and had organized protests including a '*rasta roko*' to get Government to show some response but to no avail. Maglin along with Peter was the dynamic Kerala convener and got the affected people in Kerala to depose before the tribunal.

### State of the children

The children seemed to be happy to see any visitors and when they knew I could converse in Malayalam I soon felt like the Pied Piper with a group following me. They were very communicative and ready to talk freely about their experiences. Stories were frightening and, as only children can, they spiced it with humour. Kannan a young boy of 12 yrs. told



me how, as he ran from the huge oncoming wave, one of the old women who lived near his house, asked him if he could help her run carrying her TV.. to which he replied "Ammachi (Grandma) forget it save your own life forget the TV! Run with me fast". But it was too late he never saw her again. As the waters rushed in over his head and he managed to swim somehow to be saved! He was a leader as all the other children looked up to him and he ran the show. They wanted us to buy them pens. I was disturbed not about buying pens but there were so many of them delightful faces laughing, stretching out their hands for warmth and how could I buy pens for all of them? But I did and left Tamara and Saji another young man who lives close to the relief camps to distribute it. Where were the UNICEF kits? Where was a child center where these young ones could pass time painting, reading or being helped by counselors? I could not ask them about the loss or grief as they had no doubt seen it all. They asked me as I left if I would ever come back and when I told them I was a teacher they wanted me to return and teach them!

What is the fate of these children if after five months they live in squalid temporary tin shelters, with mostly distraught mothers and female relatives as there was a distinct lack of men around. Probably many had been swept away trying to rescue their women and children. There seems to have been no survey done on the number of children age wise and no thought given to offer any psychosocial counseling to families nor trauma relief to the children.

In this day and age where there are umpteen NGOs who have the wherewithal to organize multidisciplinary teams to tackle specialized childcare and most are well versed in Child Rights it is a crying shame that Government of Kerala has not approached any so far. Save the Children, UNICEF or Plan India have special funds allocated for the purpose and are ready to work with Government to rehabilitate the children in the camps along the basis of the UN Charter on Child Rights which is that first and foremost all children when a disaster occurs must be given protection, followed by the rights that cover survival, development and education.

Last but not the least being a child rights activist I felt children should have participated in the Tribunal and spoken in front of the eminent jury. The impact would have been far more and we may have scored the needed reaction if the media reported children's stories. It is still not late and I have asked Magline to send me more on her work with the children. My recommendations have been given to the jury members and it has been incorporated.

We need to be a part of those who I believe are still working out a comprehensive disaster management plan. The subcontinent has now in this decade witnessed the Orissa cyclone, Gujarat earthquake and now the Tsunami. Questions fill my mind- where is the management and rehabilitation plan so far and where do women and children figure? If at all. For me right now I feel quite helpless as I know working with marginalized, vulnerable children in Goa that in our land normally children are more often just allowed to be seen and not heard.



What becomes to the citizens of the future when disaster strikes? I realized after this experience they are left to their own vulnerable fate looking up to the adults to save them. We ask further if those they depend on are traumatized, shattered and broken, what happens then. It is the duty of the community and the state to fill in the void. Unfortunately in Kerala the most educated state in the country the children of the sea and their children stay abandoned, their rights overlooked, denied and violated despite the crores of rupees that came into the state coffers. The injustice is evident and it is time we as NGOs work hard to uncover the corruption of the state by giving support to the individuals working on the field to force those in authority to speed up the process of rehabilitation by including the affected people and use the aid legitimately or we have failed in our duty to hundreds of children who have a bleak future if at all five months after the Tsunami.



## vi. Comments made at the People's Tribunal in Thiruvananthapuram

S. P. Udayakumar

Crows and sparrows belong to our collective  
And the long seas and mountains are part of us!

- Subramania Bharathi

**B**esides being devastating and consuming the lives of thousands of people, the tsunami of December 25, 2004 has also highlighted some serious environmental issues and prompted us to tackle these issues urgently and earnestly.

One of the most important things that we have learned from the tsunami is that the mangrove ecosystems, coral reefs and sea grasses have acted as shoreline stabilizers and defended the homes and lives of the coastal communities. These thickly populated plants reduce ferocity of flowing water and prevent soil erosion. They also act as nursery ground for certain species of fish, shrimps and fish larvae and thus they are biologically productive and economically important. In fact, mangrove swamps and other such ecosystems are nature's way of protecting coastal areas from large waves, tides and cyclones. But intensive shrimp farming, unbridled tourism and other developmental efforts such as paving roads have destroyed mangroves and coral reefs and caused the tsunami to be even more destructive.

In order to preserve the above ecosystems, we must make sure that the estuarine water stays unpolluted. Now the effluent water from the nearby coconut rotting ponds, the suspended particulate matter like coir pith, fine sediment, silt and clay carried along with the rot liquor make the estuarine water turbid and polluted. This hinders plankton productivity and is not conducive for fostering the mangrove flora.

The indiscriminate commercial sand mining in riverbeds and estuaries gives rise to serious ecological problems also. It creates an anomalous topography, salinizes groundwater beyond redemption, and pushes the water table further down by the salinity escalation. Sea sand mining is equally devastating also. The Indian Rare Earths Limited and scores of private



parties mine the sea sand for rare minerals such as thorium, monazite, bauxite, limonite and garnet. Although the Atomic Energy Act 1962 expressly prevents this private exploitation of national resources, private sea sand mining has been going on in Thoothukudi, Tirunelveli and Kanyakumari districts of Tamil Nadu and in the coastal areas of southern Kerala. These public and private sand mining companies have made our coasts vulnerable to sea erosion and now defenseless against the onslaught of the tsunami waves.

Sea erosion and rise of sea level are the other serious issues that cry for immediate attention. The coastal people have been demanding rubble-mound groves, seawalls, or hook-shaped jetties that could help them for smooth berthing and as a buffer between the turbulent sea and their habitations. But their pleas have been largely ignored.

The recent tsunami has also underscored the issues of water, sanitation and health that have a major bearing on the coastal environment. Take the case of Kottilpadu village in Kanyakumari district, for instance. As the tsunami waves dumped dead bodies into the well that was used for drinking water, potable water was brought to several coastal villages from a distant town called Kuzhithurai. However, this water was muddy and undrinkable and most coastal villages had no wells or bore wells either. There is no sufficient or good quality water in the overhead tanks and the water supply is also affected if there is electricity failure, which is a rather regular phenomenon. Besides this inadequate drinking water supply, there are no water sources in most of these coastal villages to bathe or to wash clothes. Even if wells are dug, water becomes smelly because of proximity to coconut husk soak pits. This serious water shortage leads to poor sanitation and spread of epidemics.

To make matters worse, dangerous schemes are brought to our shores in the guise of “development” projects. The Koodankulam nuclear power project, the Sethusamudram Canal project and the Colachel commercial harbor are a few projects that pose serious environmental threats to the coastal communities in the southern tip of Tamil Nadu and Kerala states. The nuclear power plant plans to release the coolant waters back into the sea which can contaminate the fish and cause health problems to the fishing and farming communities as both of them rely on fish for sustenance and nutrition. The Sethusamudram canal project that will involve massive dredging and frequent ship traffic, is bound to damage the coral reefs and the marine ecosystem between India and Sri Lanka and could also pose serious environmental hazards. Similarly, the Colachel commercial harbor will tap the fast depleting ground water reserves in Kanyakumari district, and give rise to several environmental hazards such as huge wastes and social issues like prostitution and health concerns. All these so-called development projects will affect the sustainable fishing activities of low and middle-income fishermen and drive hundreds of thousands of families to unemployment, poverty and misery.

The recent tsunami must therefore be seen not just as the wrath of nature but also as the result of systematic destruction of our ecosystems and flawed economic practices. These ecosystems have been taken for granted so far and even destroyed in the name of coastal development. In fact, the tsunami prods us to defend them and regenerate them in order



to save our coastal communities' homes and lives.

The implications of the Coastal Regulation Zone (CRZ) are quite pertinent to the coastal environment also. On January 19, 2005 the Tamil Nadu government's Tsunami Relief Special Commissioner issued a memo to all the thirteen coastal districts' collectors and asked for 500m high tide line (HTD) housing statistics and demanded government ownership of the existing houses. The Chennai Slum Clearance Board and the Chennai Corporation tried to remove 651 fishing families from Rayapuram, Anna Nagar Kuppam, and Kargil Nagar areas. However, the Chennai High Court Bench Justice Karpagavinayagam and Justice S. R. Singaravelu stayed these evictions on February 28, 2005. The MNCs, the Indian tourism and hotel industry and the prawn industry all have their eyes fixed on the seashore. In fact, the Jayalalitha government signed an MOU in January 2003 for a Rs.1,000 crore project to beautify the Marina beach in Chennai. Similarly, an application was made in July 2004 to remove Pichavaram, MGR Thittu, Chinna Vaikal, Kodikkarai and Muthupettai fishing villages in Cuddalore district for a Rs. 375.6 lakh tourism promotional plan. Interestingly enough, the permission was granted after the tsunami attack. Pushing the fishing villages away from the seashore and letting the commercial sectors take over this area will prove to be disastrous for the already fragile coastal environment.

Given the above situation, may I request the People's Tribunal to recommend the following actions?

- 1) Remedial measures to safeguard the coastal environment and to save the coastal and farm lands from further damage should make sure that coastal policies and projects must be designed, implemented and evaluated strictly in consultation with the local people with transparency, accountability and popular participation. After all, much of the coastal ecological damage is done by the state and the union governments' commissions and omissions.
- 2) The state and union governments and their agencies should prepare and share environmental impact assessments (EIAs), site evaluation studies and safety analysis reports with the people and conduct public hearing before implementing development projects. If the fishing people do not agree, nuclear power project, and canal and commercial harbor projects should be summarily cancelled. The contemporary development paradigm that causes enormous environmental and social costs should be replaced by sustainable development and appropriate technology.
- 3) Comprehensive and systematic environmental education should be given to people, officials and the leaders through multimedia. Similarly, the disaster management policy and programs should incorporate ecological concerns and environmental issues.
- 4) Steps must be taken to recharge the coastal aquifers and prevent salinity intrusion by developing watersheds and freshwater drainage. To solve the drinking water



shortage in coastal villages, a small piece of land could be acquired inland and the groundwater there could be tapped and transported to the coastal villages. There is also a clear need for more overhead tanks, regular and uninterrupted supply of electricity, rainwater storages in coastal villages. Since water sources and supply are inadequate, and most sources are encroached upon or at various stages of disintegration, measures must be taken to conserve water sources and concede to the needs of people. Maharashtra-type pani panchayats could be set up also.

- 5) High population density and lack of freshwater availability is a dangerous mix. Lack of water means lack of sanitation. Already the non-availability of toilets and the habit of open defecation on beaches are posing major sanitary and health problems to the coastal communities. This dangerous sanitary situation in the coastal villages has to be rectified on war footing.
- 6) Hook-shaped jetties must be constructed in all coastal villages.
- 7) To make the slogan "Land to the Tiller and Coast to the Fisher" credible, fisherpeople should not be removed from the coast under the guise of CRZ stipulations.



## **vii. Tsunami Affected people: From frustration to Promise**

**Dr. Gopal Guru**

**T**his short report is based on my field visit to the Tsunami affected areas of Kanyakumari and Nagarcoil Districts of Tamil Nadu. The investigating team comprised of Justice Suresh and Udaya Kumar. We visited several tsunami-affected villages from these coastal districts on the 27<sup>th</sup> of May 2005. The loss of life and property and livelihood resources was so enormous that no public institution is able to measure it accurately. This was due to the sudden arrival of tsunami waves that washed away significant part of life on the coast. Let me make the following observations based on my field visit in the following villages.

1. In the village near Kanyakumari, we observed the complete wreckage of some boats and partial damage of some boats. We found the fisher folk quite helpless and frustrated. This frustration results from the insufficient help from the government and the elusive promise about more help from the government. As a result, the fishermen are not able to resume fishing.
2. Frustration emanating from an inordinate delay, linked with the blind procedures that the government follows in deciding the beneficiaries of the relief programmes. That is to say to define the tsunami victim, the government insists on an authentic documentary proof. When the tsunami has destroyed all the evidence, how can the fishermen furnish the proof immediately? The fisher folk find many hurdles in providing fresh evidence. This results in further delay and ultimately leads to more frustration and helplessness. It is ironical, that it is not the person who has the chance to define himself/her, but it is the state that defines a person through documentary proof.
3. We found that tsunami also provides added opportunity to the state to strengthen patriarchy. This we noticed in terms of the cases of unmarried daughters, who lost their parents and an orphan girl child. We were told that those girls, who were not married, were not entitled to any compensation. In such case, the commensuration went to the surviving brother and not to the daughter. Similarly, those small girls, who lost both their parents, were not entitled for any compensation. Parents, thus,



are the defining conditions of help. As a result, quite a few girl children are rendered helpless. Some of them, thus, were forced to search for an employment. Does this not have serious implication for girl child which is banned by the government? Is the government aware about this irony and contradiction involved in this blind policy of rehabilitation? In this regard, it is absolutely important to mention, when the institutional resources are not available to such unfortunate victim, in such situation, the community resources play an important role. We notice that the community provides both emotional and practical help to such victims. In one of the Rehabilitations camp we found a widow and an orphan child staying together.

4. In one situation the community spirit, among the affected is very admirable. But in another situation it is shockingly lacking. For example, in one of the villages, Nadar caste people refused to sale the land to the tsunami affected people who wanted to move away from the shore for safety sake. The irony of civil society is that, it wants the fish but not the people who catch it.
5. In some case, the more self-enlightened, non-fishing people exploited the opportunity and rented their house to the affected on exorbitant rent.
6. We also found that it is the NGO sector, which provided help to the tsunami affected people. They built up shades and provided other resources to the affected people. We also noticed that some NGO wanted to help without any publicity while other used this occasion for publicity and advertisement. One could see several boards at the affected sites.
7. We also observed other social tensions erupting particularly in the post-tsunami period. These were caste based tension. In fact these were the fallout of the scarcity of resources that was the result of the mismanagement and lack of coordination between different agencies, both governmental and non-governmental. The fisher folk who were directly hit by the waves argued that the resources should flow to them first. Dalit claim to rehabilitation programme was thus discounted by the fisher folk on the ground that they are not direct victim of the tragedy. Thus caste cropped up during the distribution of resources and subsidies, very much like tsunami waves.

#### Suggestions,

- a. Both civil society and government should provide material and emotional support to affected people without further delay. The government should provide strong, spacious, and decent shelter to all the victims as well as health care, educational material and infrastructure to the children.
- b. Jetty and other facilities and resources like Net, Boat and Trolleys should be provided, so that the fisher folk can resume their fishing.



- c. The support should be provided to each and every affected person and family, without caste or gender discrimination. Of course, while distributing this help, just principle has to be followed.
- d. Promise: At every village, the fisherfolk looked quite agitated and in a mood to organize systematic and sustained protest against the politics of Tsunami that is remitting into the neglect of the affected.

Thus, the journey looked from frustration to promise.



## viii. Impact of Tsunami on Coastal Ecology in Tamilnadu and Pondicherry

M. Arunachalam

Impact analysis of Tsunami has been carried out in 30 sites in the coastal districts of Tamilnadu such as Tirunelveli (Idinthakarai, Uvari and Tisaiyanvilai), Kanyakumari, Tuticorin, Nagapattinam, Thiruvavoor, Thanjavur, Cuddalore, Villupuram, Kanchipuram, Tiruvallur and Chennai and Karaikal and Periyakalappatti in Pondicherry state.

Based on the survey the following preliminary conclusions can be made as the analysis of bathymetry and coastal geomorphology is under progress. There was a sediment deposit of 10 – 100 m landward, which showed that the beach had been eroded and the shoreline had been changed drastically. Changes in shorelines resulted in the destruction of coastal human populations and other infrastructures.

Variations in the effects of tsunami resulted from natural variations in beach topography. The tsunami waves were higher along the shorelines that directly faced tsunami's line of approach. For example, in areas with large sand dunes in Kallar region, there was some protection. One of the most striking features was that wherever the human activities were high, the hazards by tsunami were high. Sandy beaches with large sand dunes, eroded more slowly than areas with small dunes. Dunes with > 20 m long and 5 – 8 m high were not breached by tsunami waves. Areas with man-made canals or backwaters were susceptible to tsunami waves (eg. Pazhayar). Smooth beaches were less affected than the irregular coasts with bays or river canal.

Land loss was prevented, when there was a scrub jungle of casuarinas, salt marsh and mangrove vegetation. Land loss in delta areas, where the distributaries of Cauvery and Coleroon rivers join with the sea, had an alarming rate in the loss of wetlands.

Engineering structures such as breakwaters, sea walls and revetments accelerated the land loss of adjacent beaches. This was the outcome of the non-recovery of dune formation. Beach restoration or recovery was lost in areas with sea walls.

Land loss was more in the regions where there was a jetty or excessive sand mining.



## **ix. The Adverse Impact of Tsunami on Women and Children**

**Ms. Manohari Doss**

**T**he disastrous Tsunami which swept the coasts of Tamil Nadu wreaking havoc on the people, claiming many lives and destroying crores of worth of property, had its worst effect on women and children, which are yet to recover from the trauma caused by this calamity. According to the official estimates 529 children have become orphans.

One of the fall-outs of this natural disaster was the displacement of thousands of people across the board. The fishing villages bordering the coast, that have been most affected by the Tsunami and the communities that are directly/indirectly dependent on fishing for their livelihood, have been rendered the most vulnerable. Relief measures were undertaken by State machinery as well as by private agencies on a war footing.

As one who had the tragic experience of witnessing the tragedy unfolding in the Tsunami affected areas, soon after the fatal sweep took place, I was more than shocked that nature could wreak such vengeance against humanity. But the feeling that situation would return to normal as the days passed by had been belied. If anything the tribulation and suffering, especially of the affected women and children, had multiplied manifold.

### **Impact of Government Relief and Rehabilitation measures on Women**

The action taken by the government in the name of relief had, by and large, been of a cosmetic nature providing little succors to the affected people. Estimates show that a large number of fisher women had been rendered widows with the angry waves claiming the lives of their men, who were the breadwinners.

But the tragedy is that the officials in charge of providing compensation to the affected fail to take into consideration that the widows should be on the priority list of those needing assistance. Many of these widows are in the age group of 20 – 35 and they have no source of sustenance. Tragically in some cases the bodies of fishermen have been washed away and the authorities insist on the production of the corpse, which results in denial of assistance.



Many of these families were left with only the clothing that they were wearing, when tragedy struck on the morning of December 26<sup>th</sup> 2004. Some other fisher women had gone to the sea shore to receive their husbands, who had gone to fishing and were greeted only by the angry waves of Tsunami. Many of them are in the grip of an uncertain future.

### Impact on Livelihood Resources of Dalit Women

Natural calamities don't discriminate between people of different castes, religion, region or language. But after the Tsunami particularly in Tamil Nadu discrimination against the victims of the Tsunami from the Dalit community has been very prominent.

The Dalits and Dalit women are not only engaged directly in fishing but on many other downstream activities like unloading the fish from boats, marketing them, drying and processing them and they are also residents of the coastal area. But in the distribution of relief measures these women and their children were marginalized.

The livelihoods of less known communities were also swept away by the Tsunami. Many women in Tamil Nadu gather seashells crushing them into a fine powder and then heating this powder in beach side kilns to produce the lime used in construction. They have lost not just this year's harvest and with it an entire years' income, but also the kilns and equipment needed to return to their trade in subsequent years. Likewise the landless agriculture workers lost their livelihoods of goat and poultry and employment in the farming sector. The women completely lost their livelihood and these women are completely discriminated in the government let relief work. Casteism specifically discriminated the Dalits from relief and rehabilitation measures. The women belonging to fish allied work, artisans, petty venders, agriculture workers, etc., were left deserted and suffering for their daily survival as they lost all their livelihood sources.

The discrimination against the Dalits started on day one after the Tsunami. The victims were housed in temporary shelters like wedding halls or churches and schools. The fishermen were opposed to dalits being accommodated in their own shelters, as they did not want to share the accommodation with those who carry night soil and bury the dead. In return for what the Dalits did to keep the environment clean, they were discriminated in the worst order.

Even the food brought to the temporary shelters was not allowed to be distributed to the Dalit families. Any right thinking person would have expected that the calamity would have wiped out the caste discrimination and religious intolerance. But the contrary became true.

Dalits who were traditionally treated as untouchables were ostracized by the fishermen who were not very high either in the caste hierarchy. Some of the tales that visitors had to listen were so heart rending that it made one wonder whether humanism had been swept away by the waves of Tsunami.



It was because of this discrimination and the refusal by fishermen to accommodate them in temporary shelters and the apathy of the bureaucracy towards the Dalits that made many families live on the streets. Their children have been denied entry to schools and Dalits have been prevented from using the toilets built for the victims of Tsunami. They had no access to even drinking water provided by UN Agency.

At Melamanagiri near Sirkali, Dalit victims were chased out of a wedding hall where all the Tsunami victims were housed at midnight and the Dalits did not know where to go and were stranded on the road. State owned buses, which were pressed to transport fishermen from their colony to temporary shelters, did not even provide transport for the dalit victims. About 210 fishermen with their women and children walked 21 kilometres to Mayiladuthurai to find shelter.

At Tranquebar all the affected fishermen were housed in a school at Porayar. But dalits were denied entry to this camp. But the government agencies did not even visit these shelters, leave alone providing them with food or other relief materials.

While the government took action to replace the boats and catamarans of the fishermen, no action was taken to provide compensation for the poultry and livestock, which were the only assets of dalits, but carried away by the Tsunami. The authorities who enumerated the loss sustained by the fishermen failed to list out the problems and losses of the Dalits which was a clear manifestation of the caste discrimination practiced by the authorities themselves. In Nagapattinam and Karaikal areas alone, 604 goats, cattle and innumerable poultry died in the catastrophe but no enumeration was done.

In addition paddy, groundnuts and vegetables raised on 553 acres of land belonging to the Dalits were swamped by seawater. But no compensation had been paid to them. It was unfortunate that the dalits who helped to bury the dead and thus maintain sanitation had no access to relief or even the numbers of those who died among them had not been properly estimated.

Until the Tsunami struck, the Dalits were living happily along with the affluent fishermen families but the Tsunami appears to have fomented caste consciousness among the fishermen after the attack. In many areas, the Dalits themselves had put up temporary huts, since the government had not provided them shelters.

Tsunami only appears to have irrigated the seeds of casteism, which was making its presence in the most ugliest and crudest form in the affected areas. This was the general pattern in all the districts where dalits living near the sea shore or depending on fish base activities were surviving.

No one appears to have taken any notice or much less worried about the number of deaths, the huts washed away or the quantum of losses that the Dalits had suffered. Government officers and politicians had failed to visit the affected Dalits, which had accentuated the feeling that the Dalits were untouchables and need not be concerned about.



Under these circumstances, it becomes imperative to conduct a dalit disaster enumeration to find out the number of them who had died, the number of huts damaged, or washed away, and the losses they had suffered by way of deaths of cattle and poultry.

### **Government Relief measures and violence on Women**

All assistance, including cash is given in the name of men, some of whom are even more cruel than the Tsunami. With the money given by the government, paltry as it is squandered by the males, bringing illicit liquor or those available from the government run wine shops. Illicit liquor booths and brewing centers have proliferated on a large scale in the Tsunami affected areas.

Illiterate, as they are, the women are unable to have access to relief for want of documents to prove their claims. The life and conditions of these women and children leave much to be desired. Most of these women sit outside the temporary sheds ruing their fate. They have been expecting manna from heaven in the form of relief and assistance which are not forthcoming.

The State Government also paid Rs. 1 lakh to the parents who lost their children. The men deposited the money in their name and like to desert their wife and would like to marry another lady for want of children. This attitude of men degrading the women and subjecting them to domestic violence for accepting his 2nd marriage.

The government is also conducting mass marriages, free of cost, in the Tsunami hit areas in the name Tsunami marriage under the leadership of the district court. The government also assured for allocation of housing and other benefits. Then the young boys and girls were getting married at their younger age of 15 to 18 yrs and it is affecting the health of adolescent girl.

### **Impact on Children**

The children of bread winners, who have become victims of Tsunami, are still in a state of shock after five months and are coming back to normal, due to the assistance being rendered by the NGOs. Even though, the schools started about a month ago, these children still refuse to go to school fearing that the Tsunami may return once again and swallow their schools along with them.

Women and children in the temporary 'refugee camps' also face peculiar risks being vulnerable to sexual and gender based violence, the risks also include domestic violence, child abuse and violence caused by alcohol. There is gender discrimination in the camps, with men being given the role of the head of the family, in receiving assistance and food in the camps. Often, food is denied to women and children by the drunken head of families.

Another important issue that needs to be taken into consideration is how many dalit children have got back to their schools after the calamity. Many have been forced out of schools and the issue of free text books, notebooks and uniforms have not been made



available to dalit children, remains to be addressed. The government had announced that it would cover their fee and also charges of those appearing for the public examination. But this has not been extended to dalit children.

Children who have lost, either their father or both parents, lead a life like zombies and vagabonds. For want of proper guidance and counseling there is the danger of young boys and adolescence becoming anti-social elements.

In some cases, children are exhibited to some kind of living beings to evoke sympathy and obtain assistance none of which reaches these children.

### **Health condition in the temporary shelters**

The victims of Tsunami are housed in make shift asbestos sheds which become inferno during the day with the sun shedding its relentless rays. Many of them have fallen ill with scabies, psoriasis, chicken pox, Hepatitis, eye diseases and stomach ailments because of the in sanitary conditions of the living. These open sheds also do not provide privacy for the women, even for a change of clothing.

### **Conclusion**

These observations are unfortunately neither holistic or empirical but only a casual comment on the status of women and children in the Tsunami affected areas and is only a tip of the iceberg and in-depth study would reveal more costly conditions under which the women and children are forced to live. The Tsunami, that wrought havoc in the coastal areas of Tamil Nadu, has shattered the lives of manly families of fisher folk with the women and children bearing the brunt.



## x. Tsunami: Women and Children

M. Thangaraj

The sea that has provided livelihood to the fisher folk for years turned out hostile on 26<sup>th</sup> December 2004, destroyed their houses and killed thousands of precious lives. Everywhere damaged boats, fishing vessels, torn off fishnets and wooden planks were strewn over the beach. From time immemorial, fishermen go for fishing in the early morning and come back with their fish at around 8 a.m. On the shore, the women await for their men to bring the fish and it is usually the responsibility of the women folk to process and market the fish. The children used to play happily on the beach, there were long hours of play on 26<sup>th</sup> December as it happened to be Sunday, a holiday. Tsunami has also devastated hundreds of acres of coastal agricultural land into saline due to intrusion of seawater. Tsunami, by depositing silts also damaged hundreds of acres of land under salt-pans and destroyed hundreds of ponds fitted with pump sets, which were made to conserve high-density salt waters. Reconstruction work is yet to take off, although foreign aid agencies and other NGOs have pledged huge amount as aid, to the people of the tsunami affected areas.

The killer waves claimed more women and children than of men. Even among the children, the death of female children was more than the male children. Women and the children were unable to escape from the tsunami, as they were unable to run away from the giant waves. They were also unable to swim in the tsunami water. Most of them were drowned and done to death, as they were unable to swim. Temporary shelters were constructed in the tsunami-affected areas where there is no privacy and no space between the shelters. The purpose of the study is to examine the impact of the tsunami on women (including the adolescent girls) and children in Nagapattinam and Kanyakumari districts, as these two districts were severely affected by the tsunami. The study also seeks at examine the post-tsunami operations namely sanitation facilities, such as creation of separate bathing spaces and latrine for women to ensure privacy in the temporary shelters. The study also tries to look at the access to education of the children in the tsunami ravaged areas. We visited 5 villages in Nagappattinam district and four villages in Kanyakumari district, where the number of death was the highest. We visited Nagapattinam district on 9<sup>th</sup> May and Kanyakumari district on 20<sup>th</sup> May. Section I of the paper examines the damages caused



by the tsunami, details of death and the number of persons missing in the selected districts, relief and rehabilitation activities and measures to resettle destitute orphans and widows. Section II of this paper evaluates the post tsunami operation in Nagappattinam and Kanyakumari districts. Data relating to the death and, relief and rehabilitation were collected from the Tamil Nadu government's websites. Information relating to post-tsunami operations was collected from the fishermen leaders, knowledgeable persons, women and adolescent girls.

### I. Tsunami Damages

Entire coastal area was affected by the tsunami-strike in Tamil Nadu. The killer tidal waves claimed over 8000 human lives in Tamil Nadu. Nagappattinam district was worst-affected and it suffered about 75 per cent of the total human loss in Tamil Nadu (Table 1). About 10 lakhs persons were affected in Tamil Nadu. About 20 per cent of the total affected persons were from Nagappattinam district. Over one lakh and twenty-six dwelling units were damaged by the tsunami and one-third of the total dwellings were affected from Nagapattinam district. Total number of the injured was 3432 persons; in Nagappattinam district alone

<b>Table 1</b> <b>Tsunami - the killer waves: Damages in Tami Nadu</b> <b>(as on 3rd February 2005)</b>					
Sl. No.	Districts affected	Population Affected	Houses / Huts damaged	No. of human lives lost	No. of persons injured
1	Chennai	73000	17805	206	55
2	Cuddalore	99704	15200	617	198
3	Kanchipuram	100000	7043	129	14
4	Kanyakumari	187650	31175	828	727
5	Nagapattinam	196184	39941	6065	1922
6	Pudukkottai	66350	1	15	0
7	Ramanathapuram	0	6	6	0
8	Thanjavur	29278	3	33	482
9	Thiruvallur	15600	4143	29	0
10	Thiruvarur	0	0	28	0
11	Tirunelveli	27948	630	4	4
12	Tuticorin	110610	735	3	0
13	Villupuram	78240	9500	47	30
<b>Total</b>		<b>984564</b>	<b>126182</b>	<b>8010</b>	<b>3432</b>
Source: Disaster Management and Mitigation Department, Revenue Administration, Government Information Cell.					



1992 persons were injured due to tsunami-strike. Thus the data presented in Table 1 clearly demonstrates that Nagappattinam district was severely affected by the tsunami as compared to other districts in Tamil Nadu.

### **Tsunami Relief and Rehabilitation Activities**

#### **Tsunami Relief and Rehabilitation Activities**

The Government of Tamil Nadu has sanctioned funds for various relief and rehabilitation measures for the damages caused due to Tsunami. The details of relief under various heads of assistance are given below.

- An ex-gratia payment of Rs.1 lakh for each dead person from Chief Minister's Public Relief Fund to the families' persons died due to Tsunami tragedy
- An ex-gratia amount at the rate of Rs. 25,000/- for person, who lost their limbs or eyes, and at the rate of Rs.5,000/- for those who sustained grievous injury
- Relief package to those families who have lost their huts, at the rate of Rs. 4912/- per family was given
- Relief assistance to the families, including the families of fishermen and those involved in small business and petty trades connected with the coastal economy, at the rate of Rs. 2912/- per family
- Recently, the Government sanctioned financial assistance at the rate of Rs. 2912/- per family for those families closely connected with the coastal economy and have lost their wages and employment
- Relief package for petty traders/shop owners at the rate of Rs. 2,000/- for damages to mobile/temporary shop owners and Rs. 5,000/- for damages to pucca shop owners
- A sustenance allowance of Rs.1000/- and 30 kgs of rice, provisions, kerosene etc., valued at Rs. 526/- per month for each Tsunami affected family, for 3 months, from February to April 2005
- Free disbursement of textbooks, notebooks and uniforms to the students of 1st Standard to 12th Standard, studying in Government/Govt. aided schools located in Tsunami affected areas.
- The tuition fees and special fees payable by the students of Tsunami affected families for the period from 01/01/2005 to the end of the academic year 2005-06 will be borne by the State Government
- The students will be exempted from payment of examination fees from March 2005 to the end of academic year 2005-2006



- A sum of Rs.5.25 crore for unforeseen expenditure, including debris removal, arrangements for burial of the dead, etc
- A sum of Rs.9 crore allocated towards a relief package of assistance to 1.5 lakh affected families, who lost their houses by way of providing trunk boxes, stoves and stainless steel kudams
- An ex-gratia of Rs.2500/- each totaling Rs.1.20 crore, for 4799 sanitary workers to recognize their efforts
- A sum of Rs.1 Crore to the Collector, Nagapattinam and a sum of Rs. 10 lakhs to the Collector, Chennai as an advance to meet the expenditure relating to transportation of relief materials, to move the affected families to their areas of resettlement etc.
- A sum of Rs.1,80,13,930/- as relief to the crops damaged over an area of 5598.89 hectares
- This relief will benefit 13158 farmers affected due to Tsunami
- A sum of Rs.1696.16 lakhs for reclamation of sand cast and saline agricultural lands at the rate of Rs.12,500/- per ha. covering an extent of 13569.29 ha. affected by Tsunami
- A sum of Rs.2,80,11,150/- as relief to the loss of livestock such as cattle & buffalo, calf and draught animals, sheep and goat, poultry, etc.
- A sum of Rs.1.40 crore for construction of temporary bridge connecting Melamanakkudy and Keelamanakkudy villages in Kanniyakumari District
- Provision of Rs.1 lakh to Nagapattinam District for improving the water supply and sanitation in temporary shelter areas and for meeting electricity charges and
- Construction of Rubble Mound Sea Wall for 1 km at Kanniyakumari District at a cost of Rs. 2 crore.

#### Measures to resettle destitutes, orphans and widows

Three orphanages have been opened for children rendered orphans in the districts of Cuddalore, Nagapattinam and Nagercoil (Kanniyakumari) with facilities to maintain one hundred children at each centre. Government sanctioned a sum of Rs. 47.76 lakhs for this purpose. So far, 73 children in Cuddalore, 109 children in Nagapattinam and 29 children in Kanniyakumari have been admitted. Ayas will be appointed to take care of the children at these centers. Play materials, other equipments necessary for the development of the child, medical facilities, etc., will be provided at these centers.

Orphaned adolescent girls are being admitted into service homes run by the State Government. Two new service homes have been opened in Kanniyakumari and



**Akkarai Pettai:** It was stated that there was 1980 families with 10,000 persons in this village. Total number of death was 450 adults and 178 children. Total number of children

SL. No	Name of Taluk	Total No. of bodies				Total
		Adult		Children		
		Male	Female	Male	Female	
1	Nagapattinam	1143	1495	404	336	3377
2	Keelvelur	537	448	253	260	1498
3	Vedaranyam	67	34	26	21	147
4	Tarangampadi	71	225	93	136	525
5	Sirkali	65	204	111	136	516
Total		1883	2406	887	889	6065

Source: <http://nagapattinam.nic.in>



lost their mother or father was 37. It was reported that 5 persons were missing. SNEHA (Social Need Education and Human Awareness), an NGO is working with the affected people. Affected children were not sent to orphanage from this village. Relatives are looking after the affected children. NGOs have constructed temporary shelters to tsunami-affected families. World Vision constructed 260 temporary shelters; GGF Global constructed 186 shelters; K.K. Shaw Constructed 162 and Sevai constructed 162 temporary shelters to the affected families. Total number of new temporary shelters was 860. SOS (Serve Our Soul), an NGO has been distributing Rs. 500 Per Month for all the children, whether they lost their father or mother or both. Ten males who have lost their wives in the tsunami have got remarried now as they have small children to look after, while no women who have lost their spouse got remarried in this village. Many persons have reported that, "in our society widows marriage is not in vogue". Tamil Nadu government also deposited Rs. 5 lakhs in the name of children who have lost parents. The state government has provided food and cloths for the affected persons in this village. New shelter could not be provided for all the affected families in this village. Fishermen are going for fishing now.

There is primary school up to V standard in this village. School building is in good condition with damage to the compound wall. All children from this village are attending the school. Books and uniforms were given by the government. Temporary shelters were constructed with asbestos sheets. Small drainage canal was constructed to remove the stagnated water. Flies were found abundantly in the dwelling areas. Dwelling unit has been constructed in 12 ft. X 12 ft. Women and adolescent girls face problems when guests come to the shelters. Husband and wife can't talk freely as there are no separate walls between the shelters. There is no roof in the bathrooms hence women were unable to use them. Women wash clothes from inside the temporary shelters. Men used to have bath outside the temporary shelters, while women and adolescent girls have bath from inside the shelters. Drinking water tank was supplied by the UNICEF. The municipality of Nagappattinam is supplying drinking water. Toilets with 45 rooms are there but water facility is not available. Mineral water is being supplied by the TATA desalination plant erected in Keechankuppam village. Common kitchen was not constructed in this village. Room cleaning water used go to neighbouring house, as there is no facility to stop the water. Utensils are being washed in front of the house.

**Velankanni:** Velankanni is a famous pilgrimage center for Christians in Tamil Nadu. People from other religious faiths are also visiting this center. There is a big Catholic Church in Velankanni. Hundreds of people visit this Church every day. Total number of death was more than 2000. Number of children lost their mother or father was more than 500. The SOS, an NGO is distributing Rs. 500 to 98 affected children. There are no orphans in this village as nobody had lost their both the parents by the tsunami. One of the affected fishermen wept when we met him. He was preparing the fishing net. He told that he has lost his wife and two grand children (daughter's children). At the time of tsunami, the water was coming up to roof level. He broke open the roof and managed to escape. His wife and grand children died in the house itself. Now he is living with his another son. Another



fishermen leader (Nattar) also lost his wife and three children. He has reported that he does not want to remarry. He is getting Rs. 500 for each child from SOS; also he has received 2 lakhs for wife's death from government of India and Tamil Nadu i.e. Rs. 1 lakh each from the State Government and the Central Government. He stated that more than 4000 persons would have died including the visitors of this tourist place. December 25<sup>th</sup> was the Christmas and thousands of tourists visit this place. He further stated that male/female members who have lost their spouse in the tsunami have not remarried in this village. An NGO, SOS is teaching spoken English to the children, is also giving training in tailoring to 8 young women. Also the SOS has distributed play toys to the affected children to give moral support to the children. Local Church has distributed one table fan for all temporary shelter. More women were done to death while they were helping the fishermen and the selling of fish regularly on the seashore. New temporary shelters were constructed with an area of just 10x10 sq. ft. One community hall is also there to provide solace during the hot sun to the tsunami-affected people. We found that there was 2 hand pumps were erected in the temporary shelters. Fishermen are going for fishing now.

School building is in good condition after the tsunami-strike. All children are attending the school. Books and uniforms are given by the government. Tuition is being arranged with two teachers by an NGO, Real Plan - Plan international. Temporary shelters were constructed with asbestos sheets. Flies were found abundantly in the dwelling areas. Women and adolescent girls face problems when guests come to the shelters. Two bathrooms with keetru (coconut leaves) are not usable as it was broken/dilapidated condition. There is no roof in the bathrooms. Two hand pumps were erected by the Real Plan. Men used to have bath outside the temporary shelters, while women and adolescent girls have bath from inside the shelter. Drinking water tank was supplied by Real plan - Plan international. Drinking water is being supplied by the Nagappattinam municipality. No common kitchen was constructed in this village. Utensils are being washed in front of the house. Children were affected by the boils due to excessive heat generated by the shelter constructed with the rubber sheets. Toilets are cleaned by the municipal workers. TV set is given to them with the cable facility. Vessels are being washed in front of the shelters. A woman has stated that she escaped from the onslaught of the tsunami with a great difficulty and she was found without clothes and she took clothes from a man. She further stated that the long hair grown by the females was the major problems for the women to die due to tsunami as it stuck-up the mulveli (thorny fence), which prevented them from escape.

Keechankuppam: It was stated that 2017 persons were done to death by the tsunami. Keechankuppam fish market is the biggest fish market in this district. Many persons including traders and customers used to come to this place for fish trade. The total number of children lost their mother was 63. The total number of children lost their father was 60. 10 children are orphaned in this village. But they are not staying in the orphanage, as their relatives are taking care of them. The SOS, an NGO is distributing Rs. 500 for the orphaned children. Woman who have lost their spouse have not remarried in this village but 3 men got remarried. The united Progressive Alliance (UPA) Chairperson Mrs. Sonia Gandhi visited



this village and consoled the fishermen. At the time of our visit, we found that women were preparing the dry fish from the fresh ones. When enquired, they replied that there is no ice factory in this village now, as they were damaged by the tsunami. Fishermen are going for fishing now.

School-building was damaged by the tsunami devastation. Temporary school was constructed and the classes are being conducted in the temporary shelters. All children are attending the school. Books and uniforms are given by the government. Temporary shelters and school were constructed with asbestos sheets by RSS Sevabarathi. Flies were found abundantly in the dwelling areas. Women and adolescent girls face problems when guests come to the shelters. Toilets were constructed separately for men and women. Men do not use the toilets, while women use the toilets. A small tent 4 ft x 4 ft. is constructed by the people in front of the shelter for cooking purpose. Toilets are usable. Drainage water is running across the street. Small pit is dug to collect the bathing and utensil cleaning water to store and this water is to be removed by the users. Children use the bathroom as toilets, hence women are unable to have bath. Although water – hand pump is there but they have to carry water to the toilets. Men bathe outside the shelter. TATA desalination plant is providing drinking water. Sevabarathi medical officer is visiting the temporary shelter every day. Sevabarathi is also giving tailoring training for 20 women at free of cost. Exonara has given training for mushroom cultivation for 30 women but the trained women are unable to produce the mushroom. Common kitchens were not constructed in this village.

Nambiar Nagar: Total number of families in this village was 1400 with 6000 persons. Total number of boats damaged was 80, FRP Boats 90 and Catamarans 140. Loss of goats was about 1000, hens 500 and cows 10. Total number of death was 243. Total number of orphaned children was 123. Out of the 123 children, only 56 children are staying in Annai Sathiya Centre in Nagapattinam. Rest of the children i.e. 67 are staying in Sirkali Government orphanage. Total number of widower was 31. Three male members who have lost their spouse in the tsunami have got remarried, as there was no one to look after their family and children. Total number of male death was 32. Total number of female death was 80. Total number of death of the children was 131. In this village, too some persons were affected by measles and those who were affected by measles are staying in Mariyamman Temple. Fishermen are going for fishing now.

School building is intact but the compound wall was damaged by the tsunami. All children are attending the school. Books and uniforms are given by the government. Three tuition centers are being conducted by NGOs. Students are being taken to school and brought them back by the government/corporation bus every day. Flies were found abundantly in the dwelling areas. Women and adolescent girls face problems when guests come to the shelters. 630 temporary shelters were constructed by two NGOs with asbestos sheet. 26 toilets for men and 26 toilets for women were constructed. Water has to be carried to toilet from the hand pump. There is no bathroom in this village. Men bathe outside the shelter and women within. UNICEF has provided the water tanks in this village. Nagappattinam



Municipality is supplying the water. Women cook food in front of their shelters. Bathing water, utensil cleaning water and cloth washed water are running in front of their shelters. There is no common kitchen in this village.

Nagoor-Kilpattinacherry: Total number of death was 428, with 140 widows and 20 widowers. Almost all the houses have average death of about 1 or 2 persons. Some of the tsunami-affected persons are now suffering from small box/measles and now they are staying in Mariyamman Temple. Only 16 male members, who have lost their wives in the tsunami got remarried, as they have to look after their family and children. Rest of the 4 widowers, did not remarry. The SOS, an NGO is helping the women and children and is also distributing Rs. 500 to each child, who lost either mother or father or both. 770 households were affected by the tsunami. Only one woman who has lost her husband remarried to her husband's brother who lost his wife in the tsunami strike. Fishermen are going for fishing now.

School building is intact in this village. All children are attending the school. Temporary shelters were constructed about one kilometer away from the school. School children from the temporary shelters are going to school by the vehicle provided by Amithanandamayi Math. Books and uniforms are given by the government. Free tuition centre is being conducted by Amithanandamayi Math for I standard to XII standard with six teachers. Flies were found abundantly in the dwelling areas. Women and the adolescent girls face problems when guests come to the shelters, as there is no space for privacy in the temporary shelters. 162 temporary shelters were constructed with asbestos sheet. Those who have kerosene stove, cook food inside the shelter and those who do not have kerosene stove, cook food outside the shelter with wooden sticks/planks. Drinking water tanks are seen and are provided by Amithanandamayi Math and Nagappattinam municipality is supplying the drinking water. Women bathe in the bathrooms constructed near the shelters, while men bathe in an open place near the water tank and they draw water from the drinking water tank for bathing. We were informed that the toilets are not kept clean. There are 10 toilets for women and 9 toilets for men. Waste bin is constructed with a separate place for perishable and non-perishable items near the temporary shelters. Temporary wall was constructed only up to 6 feet between the temporary shelters and thereafter no walls in the temporary shelters.

### Kanyakumari District

Kanyakumari district was the second highest in terms of deaths due to tsunami devastation. Kanyakumari district was covered by both Bay of Bengal and Arabian Sea. Twenty-one villages were severely affected by the Tsunami in Kanyakumari district. The data presented in Table 3 clearly explicates that female members both adults and girls were worst affected by the Tsunami as compared to male members in Kanyakumari district.

All the four villages chosen for the study are situated on the Arabian Sea in Kanyakumari district as they are most affected by the tsunami. Almost all fisher folk in these four villages



**Table 3**  
**Hamlet wise Abstract of Dead & Unidentified Persons:**  
**Kanyakumari District**

Sl. No.	Name of the Hamlet	Total	Adult		Children	
			Male	Female	Male	Female
1	Keezhamanakudi	35	10	16	4	5
2	Melamanakudi	137	49	43	20	25
3	Kesavanputhanthurai	1	0	1	0	0
4	Azhikal	57	16	25	6	10
5	Rajakkamangalam	2	2	0	0	0
6	Pallam	6	4	1	1	0
7	Vaniyakudi	5	0	1	0	4
8	Kadiapattinam	31	6	2	15	8
9	Muttom	49	6	9	10	24
10	Chinnavilai	3	3	0	0	0
11	Periyavilai	4	1	2	1	0
12	Puthoor	24	13	4	4	3
13	Colachel	207	37	70	51	49
14	Kottilpadu	210	28	49	60	73
15	Kurumbanai	1	1	0	0	0
16	Ramanthurai	1	0	1	0	0
17	Enayam	2	0	1	1	0
18	Enayamputhanthurai	2	1	0	1	0
19	Other District	9	3	1	1	4
20	Other State	6	2	2	2	0
21	Unidentified	32	14	10	5	3
Total		824	196	238	182	208
Source: <a href="http://Kanyakumari.nic.in">http://Kanyakumari.nic.in</a>						

belong to the Christianity. We were informed that Christians from this district generally do not go to sea for fishing on Sundays and they take rest and all of them go to Church for the Sunday special Mass. At the time of tsunami, men had gone to market to make Sunday purchasing. It was stated that among the Christian community, widow's remarriage is permitted.

Colachal village: At the time of tsunami, the dwelling units were situated very close to the sea, which was about 50 meters away from the seashore in this village. All the victims' families were given compensation and 19 persons were stated to be missing. It was stated



that all those who died were from fisher folk. It was reported that the aged and those who were unable to swim were caught into tsunami and done to death. When Tsunami struck this village, women were cooking the food in the morning and children were playing, enjoying the weekly holiday i.e. on the day of tsunami. No remarriage took place in this village by those who have lost their spouse. Temporary shelters were provided to those who lost their dwellings. Fishing activity has already begun in this village. Two semi orphan children from the same family were sent to camp due to death of their mother but the father of these children took them back home from the relief camp as these children were not sent to home on holidays.

School building was not affected by the tsunami. Children are attending the school. Free books and uniforms and fee concession are given to students. Drinking water tanks were supplied by the Oxfam at the time of tsunami-strike. Remains of the wastewater (utensil cleaning water) are seen in front of the shelters. We were informed that all men are using seashore as toilet. Sanitary complex (Toilets and bathrooms) were constructed by Oxfam i.e. two complexes with two bathrooms and two toilets. Toilets are not constructed in all complexes of the temporary shelters. Water facility was not provided to the sanitary complexes. Water has to be carried to the toilets and bathrooms from the hand pump. If any guest comes, women and adolescent girls face the problem of privacy and they eagerly wait for their departure at the earliest. Elderly women used to have bath just in front of their shelters. Adolescent girls used to have bath from inside the house. Husband and wife cannot speak any secret matter in the shelters. In one of the shelters, we found a small bathroom was made for an adolescent girl. There was burial ground exclusively constructed for the tsunami death in which 368 bodies were buried in a place adjacent to the Church. We were informed Jeppiyar Remibai Trust has promised them to provide 120 engineering seats in its engineering college and Rs. 1000 per month for 92 tsunami widows for their lifetime in Kankakumari district.

Kottilpadu: About 650 families were living in this village and 197 persons were done to death due to tsunami-strike in this village. Out of this, 159 persons' photographs were displayed at the entrance of the Church and it was stated that photographs of the remaining 28 persons were not available. Don Bosco, an NGO from Coimbatore is providing training in tailoring to 12 women for 6 months. Fiber catamarans numbering 44 were donated by Chennai Container Terminal at free of cost to the tsunami affected fisher folk of this village. We were informed that 62 women were involved in fish trade and they are called *thalaichumadu Pengal*.

Children are attending the school. Free books and uniforms and fee concession are given to students. One of the tiled school buildings was completely damaged and classes are being conducted in the Church for II, III, IV and V. Toilets were not usable and dumped with the broken stones. We have seen a woman having bath outside i.e. in front of the bathroom. There is no water in the toilets. Toilets and the bathrooms are not usable as the walls of the toilets were constructed by the asbestos sheets and were broken. UNICEF has



supplied the drinking water tank in this village. One hand pump was erected near the toilet to get the water to the toilets but water is not coming. Women go to far away places like groves in the early morning or late evening to answer the nature's call.

**Muttom:** There were 48 deaths (males 17 and females 31) including the 12 male children and 23 female children in this village. It was stated that 13 persons (6 females and 7 males) were found to be missing due to tsunami. A boy aged 5 years is mentally affected. One girl child has lost both father and mother and that girl is living with her uncle, i.e. father's brother. About three fourths of the fisher folk is now engaged in fishing in this village. We were informed that 42 women were involved in fish trade (*thalaichumadu Pengal*). NGOs viz. Inter Vida and the World Vision were helping the tsunami-affected people in this village. So far 160 persons have received the financial assistance from the government.

School building is safe even after the tsunami-strike. Children are attending the school. Free books and uniforms and fee concessions are given to students. Drinking water tanks were supplied by the UNICEF in this village. Temporary shelters were constructed with asbestos sheets. Six toilets each for men and women were constructed. Men do not use the toilets. Water facility is available in the bathroom from the overhead tank. Adolescent girls have reported the inadequate space for even dress change in the temporary shelters. They do not want to have guests/visitors to their house, as they are likely to disturb the privacy. Common kitchen is there and some of them are cooking food there. Asbestos sheet sometimes fly due to heavy wind. Children were suffering from the Measles.

**Azhikal:** There were 955 dwelling units in this village. We were informed that there were 64 deaths in this village. It was stated that 4 female, including three children, were missing in the tsunami catastrophe. A compensation of Rs. 50,000 was given to the members of the missing families. One female child has lost her father and mother and this child is now staying in the orphanage under the control of the government of Tamil Nadu. All those who have lost the dwelling units were provided with the temporary shelters. No remarriage took place in this village by those who have lost their spouse in the tsunami. Temporary shelters were constructed for 482 families. About half of the fisher folk are now engaged in fishing. It was stated that 950 persons were engaged in fishing, 60 women and 60 men were engaged in selling the fish. Action Aid, an NGO has spent Rs. 2.75 crores in repairing the houses damaged by the tsunami.

School building is safe even after the tsunami-strike. Children are attending the school. Free books and uniforms and fee concession are given to students. Temporary shelters were constructed with asbestos sheets were leaking the rainwater as they were torn. UNICEF has supplied the drinking water tanks in this village. There is no water in the toilets and bathrooms and residents have to carry the water to the sanitary complexes. Facility for cloth washing is being provided there with the cement block. There is common kitchen in this village but was reported that they are not sufficient. Men do not use the toilet but women and children are using. Toilets and bathrooms are little away, that is the problem. At nights women and adolescent girls are afraid of going to the toilets. It was stated that



one of the residents that at the time of urgency a family member has to accompany the adolescent girls.

### **Non-Fishing Communities**

Dalit women from Kanchipuram, Cuddalore and Nagappattinam districts were involved in catching of prawns from the river/backwater. They use the proceeds out of prawn sale for their livelihood. Their daily earning was between Rs. 50.00 and Rs. 100.00 a day. Prawn catch is their occupation. After the tsunami, they are unable to catch the prawns in the river/backwater. In many places Dalit women were engaged as wage labour for the preparation of dry-fish by the fisher folk. Quite distinctly Dalit women were also engaged in collecting the shells from the sea to eke out a living. It is to be noted that the Dalits, one of the non-fishing communities, have been by and large left out of relief and rehabilitation work.

To sum up, the foregoing analysis abundantly makes it clear that loss of life both in terms of death and missing persons were more among women and children compared to that of men. Even among the children, the death of female children was more than the male children. Women and children were unable to escape from the giant waves. Thus women and children were worst affected by tsunami devastation. Men who had lost their spouse in the tsunami-strike have now started getting remarried. Women who lost their husband could not carry on such move. Women remarriage is not being encouraged even in Kanyakumari district where all fishermen belong to Christian background. Though huge relief and rehabilitation measures were undertaken in terms of financial assistance, temporary shelters and sanitary complexes by the government and NGOs, these inadequate to meet the requirements of women and adolescent girls. Hence, Relief and rehabilitation have to be increasingly gender sensitive.



## **xi. Equity and Social Justice Considerations in Relief and Rehabilitation**

**Dr. S. Parasuram**

**T**he devastating earthquake of December 26, 2004, and the subsequent tsunamis in 10 countries in South Asia and East Africa, have left in their wake, a tale of destruction, death and tragedy. In India, the tsunami affected nearly 2260 kilometers of the mainland coastline, as well as the Andaman and Nicobar Islands, with tidal waves up to 10 meters high penetrating up to 3 kilometers inland, taking at least 10,749<sup>1</sup> lives and affecting more than 2.79 million people across 1089 villages<sup>2</sup>.

The months after the tsunami have seen a range of organizations – state, civil society, corporate and international - involve themselves in intensive relief and rehabilitation efforts in the affected areas. These efforts have been fairly successful in providing immediate succor in the form of food aid and temporary shelters, and also in preventing epidemics like cholera, which were greatly feared given the breakdown of water and sanitation facilities in the aftermath of the tsunami.

Several months later, with the initial urgency and crises behind us, a closer examination of the relief and rehabilitation activities, reveals serious lacunae in the ongoing reconstruction processes, and even glaring instances of entire sections of affected populaces being excluded totally. Media and civil society reports from affected villages in Tamil Nadu and Kerala point to the need to redesign reshape and implement rehabilitation programs in a manner that ensures that vulnerable sections are not further marginalized, and that takes into account the complexities of Indian society.

### **Relief and Rehabilitation Programs – Critical Aspects**

Relief and rehabilitation programs in tsunami affected areas need to address certain major issues that are integral for the holistic reconstruction of societies and communities. At the Peoples Tribunal in Thiruvananthapuram on the 28<sup>th</sup> and 29<sup>th</sup> May, testimonies from affected people from Tamil Nadu and Kerala brought out several issues. We present key issues emerging from the testimonies.



## 1. Health and Education

Review of situation at the temporary shelters in Tamilnadu and Kerala and testimonies from the affected people reveal that there are a number of sanitation related problems with potential to cause serious health problems. Overflowing toilets, stagnant water around the shelters and floods due to high tide and lack of potable water pose serious health hazards.

In health related relief and rehabilitation, the issues of water, sanitation, vector control, disease surveillance and preventive health are of prime concern. Public health in the context of the monsoons needs special attention, with preparedness activities to include raising of toilet platforms and soak pits, water proofing shelters, taking measures to avoid water stagnation etc. On a longer term, provision of safe drinking water, particularly in light of the fact that many surface water bodies have been made saline by the waves, is a vital component of any health program. Sanitation – solid waste and toilet – facilities, that look into the special needs of women, elderly, disabled and children, at both the temporary camps and the permanent housing sites, must be provided. Structures for regular monitoring and reporting of health status of affected populations must be put in place, focusing on women's health and on communicable diseases, and providing support for chronic conditions. The special nutritional needs of children and pregnant/lactating women also require attention.

Health programs must have a strong mental health component. The tsunami has left survivors with permanent emotional and psychological scars. Women who were with their children when the tsunami struck but were unable to save them go through feelings of guilt, grief, hopelessness and have either attempted suicide or developed psychotic reactions. Among children, anxiety and panic, feelings of insecurity, refusal to leave their parents and go to school have manifested themselves in the form of nightmares and disturbed sleep. Those who saw their siblings or friends washed away, or lost close family members, or those orphaned and shifted are especially vulnerable, particularly as they are now without support systems<sup>3</sup>. The heightened stress experienced by survivors due to exposure to high levels of loss, death, human suffering, injury, mistreatment and abandonment, impinges on their processes and concentration, interferes in their ability to experience the usual range of felt emotions, manifests in physical symptoms and impacts on the quality of interpersonal relationships<sup>4</sup>. Mental health interventions that address these issues must incorporate both professional counseling services and the building of social networks that provide support from within.

Education and schooling in tsunami affected areas have been impacted due to a number of reasons. For one, the waves have washed away balwadis, anganwadis and children's school supplies. Insomniac children, traumatized after having seen their parents washed away, are unable to concentrate in class – many refuse to go to school fearing another tsunami while they are away. In several families, heavy losses have forced children to quit school in order to supplement their parents' earnings. Abhishek, who has long nursed the dream of being a doctor, now has to work along with his father, and use the money set



aside for his medical education to repair their damaged boats.<sup>5</sup>

At this juncture, relief that allows children to attend school is needed. Infrastructure redevelopment and supply of textbooks, stationery and other educational equipment is crucial. Educational support to students of classes 10 and 12, as well as facilities for primary and pre-primary children need to be made available. Teachers also need to be specially trained in handling traumatized children. And most importantly, efforts are need to be made to ensure that Dalit and Adivasi children are not excluded or discriminated against<sup>6</sup>.

## 2. Housing

The issue of permanent housing raises several questions relating to equity. Of primary importance is whether allocations will be made on based on loss, or based on the principle of equal housing, i.e., would a person who lost a hut be compensated with a hut, and one who lost a large pucca house be compensated with the same, or would everyone be given similar housing. Further, a large part of the affected people lived along the coastline, in densely populated settlements whose legal land tenure status is uncertain. These people were considered to be squatters despite having occupied this land for generations. Many of them do not have documents to prove ownership, and thus stand the risk of being displaced from their original homestead. The situation is in addition complicated by the Coastal Regulation Zone Rules, which do not allow construction within 500 meters from the high tide line. State governments are arranging for relocation of fisher folk communities in new locations citing both the CRZ Rules and safety considerations as reasons<sup>7</sup>. This will affects access to livelihoods (fishing) and also disrupts children's education. It is also necessary to keep in mind that relocation could often result in displacement of people originally living in the land acquired for the same.

The issue of ownership is another area that needs looking into. Ideally, the title deeds ought to be in the names of both husband and wife. There are also debates on whether the ownership of the land should remain with the state, or if it ought to be transferred to the affected person. Of importance is also the construction of common facilities and community structures like health centers, childcare centers etc., and of using local technology, skills and labor for the actual design and construction, in order to serve the twin purposes of creating employment, and ensuring that the houses are suited to local conditions.

It is essential that the reconstruction of housing be a participatory process, involving the people in a rehabilitation effort that incorporates livelihood, social network and environmental concerns. Fishing communities are and can be made an integral part of any coastal environmental management plan, and all activities can be structured in a manner that does not deprive them of their livelihood<sup>8</sup>. Community participation in reconstruction process is necessary to cultivate a sense of ownership and belonging, and to ensure that they do not feel further displaced and marginalized.



The testimonies revealed that the GRs on housing and its location are contradictory in nature. At this point in time people have no clear idea as to where they can re-establish themselves and what support would be available from the government. This issue requires resolution quickly.

### 3. Livelihoods

While the dominant discourse on tsunami related livelihood rehabilitation focuses on fisher folk communities, it is essential to keep in mind that a far wider range of occupations and sources of income have been threatened by the tsunami.

Livelihood rehabilitation efforts have been concentrated largely on the fisher folk communities that have suffered immense losses relating to their tools of trade – their boats, their nets, and other fishing gear, the repair and replacement of which is crucial to livelihood restoration. Those fisher folk who are attempting to go back to the seas, are facing hurdles due to fears of fish consumers that the fish is likely to be contaminated. Rehabilitation attempts by various organizations have at times also created tensions and new dynamics among community members. For instance, the fishermen in Chinnurpettai, a small hamlet near the Tamil Nadu- Pondicherry border, jointly owned and operated six motorised boats. The six boats were owned by a few but were shared by all the men in the village – the community drew no distinction between a boat's owner and its crew. In the aftermath of the tsunami, NGOs delivering disaster relief not only put more than double the number of boats lost in this rural community but made each boat the joint property of four fishermen – a new phenomenon. The extra boats and joint ownership is creating a new kind of competition and complications unknown in this community - everyone wants a boat and those without one are feeling left out.<sup>9</sup>

Other affected groups include people involved in agriculture, and those who earn a living in the informal sector. The fishing industry is supported by a number of allied services performed by the informal sector – ice sellers, fish loaders, vendors, truck drivers, fish processors etc. Thousands of people depend on these activities for income, and the means to earn a livelihood no longer exists for them.

Agricultural lands along the coast were inundated by the waves, resulting in water logging and salinization, destroying the standing crop and rendering the soil uncultivable. The livelihoods of the families dependent on agriculture – the laborers, land owners, tenants, sharecroppers – and of people who provided services in the villages, like the barbers, cobblers, shop keepers etc. are all in peril.

Livelihood rehabilitation programs need to address the concerns of all the affected communities, and need to intervene at a number of levels. Interim relief measures like food/cash-for-work programs<sup>10</sup>, as well as gratuitous relief for people who are not in a position to work, for instance, the elderly or disabled, must be put in place so that long term rehabilitation and reconstruction of assets can proceed simultaneously in a well-planned manner. These programs could also be incorporated in the larger reconstruction



plan. Infrastructure<sup>11</sup> redevelopment may be necessary - for instance, rebuilding jetties, packing sheds, port facilities, irrigation systems and manufacturing/processing facilities, and establishing market linkages. For the agricultural sector, interventions to desalinate land and water bodies are crucial. Skills training facilities, opportunities to set up micro enterprises and supportive financial institutions need be provided to allow changeovers to alternative forms of employment for people who wish or need to do so. At this juncture, it is necessary to mention that many people attempting to get loans from banks and other financial institutions to repair, rebuild and reestablish their occupations are being stonewalled due to their inability to provide collateral. This makes them turn to informal systems of financing like village moneylenders, pushing them into a life-long debt trap. Issues relating to old debts, loans and insurance also need to be addressed.

#### 4. Social Networks

The tsunami has torn apart communities and families, displacing people and leaving them bereft of the social support systems and networks that were an integral part of their lives. At a time when such support is the most required, the affected people are the most alone, making it more difficult for them to cope, move on and achieve closure. It is thus imperative that any rehabilitation program look into the revitalization of social networks and traditional<sup>12</sup> support systems.

Where the tsunami has scattered people and devastated their dwellings, the village or community they once occupied loses its meaning as an organizational unit. Temporary accommodation (in tents or temporary houses) in camps, as near as possible to the former settlements, is therefore essential to start bringing back together the affected victims.<sup>13</sup> Interaction in the camps will facilitate the revival of previously existing community structures, creating mutual support systems for dealing with the emotional and social consequences of the disaster<sup>14</sup>. Active organization of people into groups that will express their opinions and needs, and involve themselves in the reconstruction process will serve the dual purposes of enhancing participation and rebuilding social linkages and relationships. It is also important to link different affected communities together, to learn from each other's experiences, to support each other, to address problems they have in common, and to negotiate collectively with government agencies for what they need<sup>15</sup>.

While current relief and rehabilitation processes do incorporate, at the conceptual level, the essential features delineated above, the extent to which they are translated to reality remains debatable. Of further concern is the unequal and uneven manner in which relief and rehabilitation is reaching different groups of people. Unless these programs are deliberately given and implemented with a pro-poor, pro-woman, pro-dalit – basically pro-vulnerable people – agenda, the reconstruction effort will remain at a superficial level and never really address the needs and uphold the rights of the most severely affected.

#### Relief and Rehabilitation in Tsunami Affected Areas – Issues Relating to Vulnerable Groups



Disasters, natural or man-made, have different impacts on different sections of society. It is usually the poorest, marginalized and most vulnerable sections of the population that are the most severely affected, and also take the longest to recoup, given the social systems within which they exist. The history of disasters across the world has shown that it is typically women, children, the elderly and disabled, and the poor who suffer the most. The case of the tsunami is not any different, and in fact has raised many concerns with regard to inequities even in the relief and rehabilitation process. Relief and rehabilitation efforts have been targeted at the most visibly affected<sup>16</sup> – the fisher community -, and compensation has predominantly been based on losses of life or property, leading to the exclusion of many groups, and of people who are unable to show proof for tangible losses, but who are in peril anyway, because of the loss of livelihood.

### 1. Women

Far more women died in the tsunami than men<sup>17</sup>. In Cuddalore, 391 women were killed, compared to 146 men. In Pachaankuppam, only women died<sup>18</sup>. Studies reveal that the higher death toll among women can be linked to their role as nurturers ( they stayed behind to look for their children), their inability to run and swim fast or climb trees, and their traditional clothing that hinders mobility.

Post tsunami, the plight of the women survivors is no better. Life in the relief camps has been found to be a source of continued trauma for women. Separate toilets, recreation space, cooking sheds, firewood storage facilities, place for drying clothes and space for cleaning kitchen utensils have been identified as the major areas of concern for women. Nevertheless, given the dominant norms of socialization, women are hesitant to push for or even express their needs<sup>19</sup>, and silently cope several problems, including sexual and physical harassment by men in the camps, particularly near the toilets. Women are fearful going to the toilets if they are at some distance away or inadequately lit. In Sri Lanka, instances of rape and molestation have been reported in the camps from areas around the toilets<sup>20</sup>. Widows in Nagapattinam<sup>21</sup> have rarely been allotted separate shelters, they are made to stay with relatives who are often after the women's compensation money. There are problems related to women's health needs – pregnant and lactating mothers do not get adequate nutrition or healthcare facilities, inadequate supplies of water and sanitation make women susceptible to reproductive and urinary tract infections, and often women and girls do not go for medical check ups organized in the relief camps as the doctors are all male, and the facilities lack in privacy<sup>22</sup>.

In the economic sphere, women are being put at risk of sexual exploitation and dependency because of the loss of income and the inability to access cash. Orphaned girls are being married off at young ages by relatives or community members who do not want the responsibility of taking care of them.

The vulnerability of women has been further accentuated by gender-insensitive relief and rehabilitation policies. Women's work has not been recognized in most rehabilitation



programs. Women typically were involved in processing and marketing of fish, or in non-fishing jobs like collecting shells or running food stalls. They rarely owned property or any assets, and were usually employed in the informal sector. Livelihood rehabilitation measures have focused on the fishing sector and related loss of boats, thus ignoring the livelihood issues of women. Often relief and rehabilitation packages have been issued based on lists made by the Fisher folk Panchayats<sup>23</sup>, which are turf of men, with the result that women have not had access to relief measures at all. In one instance, the Panchayat gave a widow a cheque made out in her dead husband's name.<sup>24</sup>

This blatant disregard for women's livelihood concerns could prove disastrous among the poor, because many of these women may well be the sole earners in their families. In any case it is widely known that women's earnings generally go directly towards meeting the basic needs of their families, while a substantial proportion of many men's earnings is often spent on personal habits such as drinking, smoking and gambling. In fact, fishing being a seasonal occupation, women's livelihood activities are critical to the household economy. The situation of widows, single elderly women, of destitute women and of families with women heads is particularly risky in this context, as they simply may not receive the assistance required to survive and rebuild their lives.

In situations where women do get compensation and relief packages, it is being seen that relatives try to take over and dominate, in an effort to divert the money to themselves. Proper economic counseling and guidance is required to avoid this. Women have also had problems accessing relief measures, including rations and compensation, as families, properties/assets and papers are usually registered in the man's name.

As the experiences till date show, it is vital that gender-disaggregated information be collected before determining relief and rehabilitation packages. Protection of women from sexual exploitation and the prevention of creation of dependencies are of prime importance, but at the same time, it is important that women are perceived as citizens with specific perspectives, and not as vulnerable victims<sup>25</sup>. Women's livelihoods must be prioritized and earning opportunities must be made available to them. The long-term impact of the change in gender balance must be considered in the formulation of all policies and programs, with the view of promoting women's rights and protecting their interests<sup>26</sup>.

## 2. Children

According to the United Nations Children's Fund (UNICEF), children account for a third of the casualty. In some districts of Tamil Nadu, the casualty was an overwhelming 50 to 60 per cent. Aid organisations estimate 1.5 million children dead, orphaned or made homeless in the disaster<sup>27</sup>.

In any disaster, the situation of children requires special attention given their inherent vulnerability. In the tsunami, children who have survived have had to deal with the trauma of seeing their family, friends and homes being washed away. Their family, the support system they would normally lean upon in times of crisis, is not available, leaving their



present and future very uncertain. According to paediatric psychiatrists, as the experience of the tsunami is so dramatic, extreme, sudden and even life-threatening, it is imprinted on the child's memory. This deeply embedded event is a disturbance that the child carries with him or her at all times. Long-term consequences include fear, vulnerability, depression, anger and sleep disorders, as well as repeated re-living of the event itself<sup>28</sup>.

In all disasters, including the tsunami, cases of children getting separated from the parents, and as a result lost, are common. At the relief camps, with no one in particular to take care of them, the chances of these children being able to access vital medical help and even water and food are not very high. The dangers of sexual abuse are also existent in temporary shelters.

The UNICEF<sup>29</sup> has outlined four areas of priority in the relief and rehabilitation of children survivors of the tsunami. In terms of relief, the special nutritional, sanitation and health needs of children need to be addressed, focusing on communities where relief is hard to access. Providing care for separated children is of importance, with the emphasis being on locating their family or community and reuniting them. Addressing trauma related problems in children, helping them cope with it, and getting them back to school is another fundamental priority. Protecting children from exploitation is a yet another key area of concern.

Long-term rehabilitation of orphaned children has been a contentious issue, with the option of adoption for orphaned children being surrounded by controversy. Trafficking in children for labor and sex in the guise of adoption has been reported in the past, and is a very relevant fear in this case, particularly given the presence of pedophiles in India's tourist population<sup>30</sup>. In disaster situations, pedophiles find it easy to pick up abandoned children by winning their trust and befriending them.

Child rights groups have called for extra caution in this sphere, and have spoken out strongly against initial plans that adoption laws be relaxed in an attempt to find the children homes. Previous experiences in disasters have shown that children fare better in their own communities, and when it is indeed necessary, adoption should be permitted only after observing all precautions.

### 3. People with Disabilities

Globally, it is estimated that 10% of the world's population lives with some kind of disability<sup>31</sup>. It is highly likely that the disabled are disproportionately represented in the death toll of any disaster given their compromised ability to flee. The WHO estimates that 5 – 7% of the population of any disaster relief camp comprises of people with disabilities<sup>32</sup>. As a result of the tsunami, a 20% increase in the number of people with disabilities is estimated<sup>33</sup>. More than a third of the people affected suffer from mental trauma<sup>34</sup>.

In an emergency situation, it is quite likely that the disabled remain invisible to registration systems, with the result that they remain unregistered, and thus do not receive even basic



relief entitlements like food, clothing, water and medical aid, leave alone having their special needs met. This invisibility may be exacerbated by loss of support people, lack of mobility, or loss of essential aids. Therefore, it is vital that relief camp workers are trained to make special efforts to identify and help disabled people, looking into their special needs like medical attention, aids, or even the increased need for warm clothing. Arrangements for the water, sanitation and food needs of people with disabilities need to be made – for instance, toilets need to be designed in such a manner that they can be used by all sections of people, including the disabled. People with disabilities may find it difficult to access food in crowded relief camps – ensuring this, and providing any support they may need in feeding, are other crucial areas of concern. When it comes to shelter, questions of accessibility and mobility have to be looked into. People with disabilities are also vulnerable to physical, emotional and sexual abuse, and protection is thus necessary.

When it comes to long-term reconstruction and rehabilitation, a participatory process that involves people with disabilities will go a long way in correcting inequities that existed in the community. Right from incorporating disability friendly features in building and making provisions for medical support for the disabled, to setting up community institutions that have spaces for disabled people, the rehabilitation process can be the foundation for creating a society that actively protects the rights of people with disabilities.

#### 4. Dalits, Adivasis and Other Excluded Communities

The on going process of post-tsunami relief and rehabilitation has seen the exclusion of several groups of people, because of both sheer ignorance and oversight on the part of relief planners, as well as active discrimination by dominant groups.

The initial stages of relief work saw aid reaching only fisher folk communities. While it is true that these fishing villages have suffered the most in terms of loss of life and property, it is equally important to note that several other communities have totally lost their means of livelihood and face extremely uncertain futures.

Relief supplies often did not reach villages that were situated at a distance from the main road. There are also reports that non-governmental agencies seeking to 'adopt' villages, prefer to work with only small villages, as there are fewer families to take responsibility for, with the result that there is an unequal distribution of aid among the affected communities, causing friction among bigger and smaller communities<sup>35</sup>.

Agricultural workers also found themselves in the margins of the relief process. According to the Tamil Nadu unit of the All India Kisan Sabha, more than six lakh agriculturists and agricultural workers were affected by the tsunami<sup>36</sup>. It is estimated that seawater entered 12,569 hectares of land in the districts of Nagapattinam, Kanyakumari, Cuddalore, Kancheepuram and Villupuram<sup>37</sup>. In addition to destroying the standing crop, the waves deposited sand and have salinated the soil. Waterbodies were affected as well, running sources of fresh water for drinking and agriculture. Since the agricultural villages were situated at a distance from the coast, losses in terms of lives and other property were not



much, and therefore, they were totally overlooked by both the state, and by non-governmental agencies, in the first phase of relief. Though compensation for standing crops was announced later for agriculturists, many villages continued to be ignored. And although the government (Tamil Nadu) claims that it has ordered payment of Rs. 12,500 a hectare from the Calamity Relief Fund for the reclamation of the land, agriculturists are yet to receive it<sup>38</sup>. In addition, the rehabilitation package proposed for agriculturists is meant only for landowners, and not the landless laborers, leaseholders, tenant farmers and sharecroppers, for whom, it appears that there are no livelihood rehabilitation packages conceptualized.

At this juncture, it is important to reiterate that both the government and civil society organizations have largely adopted a property-centric relief and rehabilitation policy, with the result that livelihood rehabilitation packages predominantly reach only people who own boats and go out for deep sea fishing, and people who have tangible assets like shops. The thousands who contribute to the coastal economy by providing their labor and skills, like landless agricultural labourers, share croppers and tenant farmers, various categories of fish and boat workers, street vendors and petty traders, transport workers, construction labourers, salt pan workers, people involved in inland, shoreline and estuary fishing, service providers like barbers, tailors and cobblers, and crafts persons such as basket-weavers, have all found themselves sidelined and disregarded. Women survivors have also been marginalized in a similar manner, as they rarely possess assets in their name, and typically eke out a livelihood in the informal sector, often delivering services.

Even among the fisher folk communities, the process of relief and rehabilitation is taking place in an unequal and inequitable manner. In most fishing villages, the presence of a strong, traditional panchayat, or a fish workers federation means that all relief is routed through the panchayat leaders, who even take on the onus of preparing the lists of affected people and damaged property. While these panchayats do play an important role in keeping up the morale of the community and bringing the people together for rebuilding, they continue to perpetuate age old hierarchies and inequities, often resulting in unjust practices in the distribution of aid. For instance, it is only the members of the panchayat who are included in the lists, and therefore, women and Dalits, who are barred from being members, do not receive their entitlements. There are reports<sup>39</sup> that in many villages, even if aid is distributed equally to all, it is usually collected back later, and distributed to only those who lost assets like boats and catamarans. This implies a lot to fish workers who earn a livelihood as casual laborers on the boats, or who engage in inland or shoreline fishing.

The situation is made more complex by the caste system in the coastal districts. Even among the fishing community, there exist three castes – the Meenavars (Most Backward Caste), Dalits (Scheduled Caste), and Pazhankudi Makkal (Scheduled Tribe). There is a rigid hierarchy among these castes, with the Meenavars taking the boats out to sea, and the other two castes engaged in manual labor on the boats, in selling fish, repairing boats, inland fishing, packing fish etc. The deeply entrenched discrimination based on caste



prevalent in these village societies was visible during the relief operations too. Various fact-finding teams<sup>40</sup> report that Dalits were denied even food aid on the grounds that there were no deaths among them. Like mentioned earlier, beneficiary lists contained only names of the dominant community, and panchayat leaders, when asked about it, said that they would distribute to the others what is due to them. In some cases, Dalits families are not issued tokens for the relief materials, and there have also been instances in which they have not been allowed to stand in queue to collect aid. Further, it appears that entire Dalit villages and hamlets have been left out of the enumeration of tsunami affected villages.

These inadequacies in the relief distribution process, along with the sudden stoppage of relief by the state, have led to serious problems of food scarcity among several communities. Livelihood restoration is likely to take at least 3 – 6 months for fisher folk communities, and even longer for agrarian communities. For those who depend on their labor and skills for income, the situation is dire indeed, as with work hard to come by post tsunami, they are being forced to sell their labor at appallingly low rates, with no hope in sight.

#### **Experiences with Vulnerable Communities – Lessons Learnt**

Drawing from all these incidents of exclusion and marginalization, it appears that there are flaws at the level of conceptualization of the rehabilitation policy itself. One is the highly limited scope of the definition of ‘affected person’. While initially, ‘affected’ was defined only in terms of lives and assets lost or damaged, even the inclusion later on of wage earners and service providers as livelihood affected persons has not translated into effective rehabilitation at the ground level. Government policy continues to mete out different treatment to different categories of affected people<sup>41</sup>, with no rational definition of ‘affected’, that has serious repercussions on the relief and rehabilitation process. The same problems are seen in work carried out by non-governmental agencies as well, as they too have a tendency to focus on the Meenavar community in the fishing villages – the most visibly affected community. A lot of the lacunae also arise from the conceptualization of ‘community’ as a homogenous whole, overlooking the inherent divisions and hierarchies that result in politics of domination and marginalization.

The systematic exclusion of the Dalits and landless by the rehabilitation policy amounts to contravention of the constitutional mandate to substantive equality.

“Any relief and rehabilitation policy framed by the State will have to be based on respecting the constitutional framework. This means that key to the policy will have to be solicitude to the weaker sections of Indian society including the SC and ST communities.

With respect to Fundamental Rights the state is enjoined to respect among others the right to equality (Article 14), the right to non discrimination on grounds of caste as well as the right to affirmative action (Article 15(1) and Article 15(4) respectively) and the right to life (Article 21). The Indian Constitution envisages a notion of substantive equality, which includes a scheme for compensatory action in the form of affirmative action for all those who have historically been oppressed by the caste based hierarchy of Indian society. Thus



equal opportunity in the Indian Constitutional scheme does not just mean treating those of a similar grouping similarly but actually means that a form of compensatory action is envisaged for those who have historically suffered discrimination, particularly the Scheduled Castes and Scheduled Tribes. The right to life has been interpreted by the Supreme Court to include many basic rights including the right to a clean environment, right to health etc. Needless to say these rights too must be implemented keeping in mind the injunction of Article 14 and Article 15.

The Directive Principles such as Article 41 clearly note that the responsibility of the state to secure public assistance in cases of undeserved want. However what is often not taken on board as a matter of state administrative practice/law is that the very provision of relief and the beginning of rehabilitation programs which are aimed at securing the right to livelihood, the right to work, the right to health, the right to education and the right to life, must take into account the Constitutional injunction embodied in Article 14 read with Article 15 and provide in particular for the SC/ST communities."<sup>42</sup>

Given that our Constitution and legal framework mandate protection and promotion of the rights of marginalized communities, the fact that despite this they still remain at the edges of the rehabilitation efforts only points to these communities' glaring invisibility. So what is required here is a proactive recognition and inclusion of these groups, starting with a re-enumeration of affected populations based on occupation. This is vital for understanding the impact the tsunami has had on them and for designing rehabilitation interventions that will meet their needs. Of special concern are women, children, the disabled, agricultural workers, wage earners, dalits and adivasis. There is also an urgent requirement to move away from the property-centric calculation of compensation and arrive at livelihood rehabilitation packages that are based on need, including provision of land for dalit and adivasi agricultural laborers.

It must be emphasized that relief and rehabilitation cannot be viewed as mutually exclusive processes, but should proceed in conjunction with each other, with relief being withdrawn only after rehabilitation has been completed. Sudden withdrawal of relief, when livelihoods have yet not been restored can have serious implications for the affected people. Therefore, continued relief, on the basis of a fresh, inclusive enumeration is required. Interim rehabilitation measures like food/cash for work programs and other employment schemes like the Sampoorna Grameen Rozgar Yojana must also be put in place<sup>43</sup>. In addition, there must be provisions for support and gratuitous relief for groups (like women, elderly, disabled) that cannot engage in economic activities immediately.

Above all, the reconstruction process must be seen as an opportunity to correct existing inequalities and inequities, and for the building of a society that is less hierarchical and that is more equitable in the opportunities and spaces it offers different groups of people.



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- 4 Allan A., Psychological Support for Survivors of the Tsunami, 14 January 2005, University of Melbourne.
- 5 Ramalingam K., Relief Critical to Stem School Dropouts, *IndiaTogether.com*, 6 May, 2005.
- 6 An experience in Nagapattinam in relation to efforts by some external volunteers to get the children belonging to a nomadic Adivasi group called the Mattukkaran enrolled in a Govt. aided school in MGR Nagar near the town suggests that even the students belonging to the second and third class practise discrimination against these children. (Mohan N. et.al., Exclusion of Dalits and Adivasis in the Time of Tsunami: The Case for an Inclusive Relief and Rehabilitation Policy, <http://www.altlawforum.org/Resources/Tsunami/Dalit%20Tsunami.doc>.)
- 7 Thideer Nagar, near Marina Beach in Chennai, has been relocated to Thoraipakkam, nearly 25 kilometers away. (P'Rayan A., 2005, Impact of Tsunami Relief and Rehabilitation Work in India, June, 15, [worldpress.org](http://worldpress.org))
- 8 For instance, it has been suggested that the band of land beyond the CRZ be allotted to fisherfolk communities for their housing and other facilities. (Sridhar V., 2005, Living on the Edge, *Frontline*, Vol 02, Issue 03)
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- 11 ACDI VOCA, 2005, Tsunami Disaster Recovery – Concept paper, January 19.
- 12 Even the caste panchayats that dominate fishing villages, despite all their inequities and faults, provided a great deal of security to a community that was already isolated from the rest of society. (Sridhar V., 2005, Living on the Edge, *Frontline*, Vol 02, Issue 03)
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- 16 “In the US\$ 682.8 million Emergency Tsunami Reconstruction Project, the International Donor Association has promised US\$ 465.0 million and the Government of India will contribute US\$ 18.6 million. Of this, Civil Society Organizations and the government anticipate four-fifths will be spent on the fisher community, after the World Bank in its statement on May 3, 2005 said that nearly 80 percent of the affected population was engaged in fisheries, 15 percent in agriculture and 5 percent in micro-enterprises. This is in direct conflict with the report entitled “Post Tsunami Recovery Program: Preliminary Damage and Needs Assessment” that the World Bank, Asian Development Bank and International Fund for Agriculture Development published, which said only 39 percent of the population affected are fisher folk. The same report pegs the number of fisherfolk affected at 120,000 in Tamil Nadu. Those involved in agriculture, micro-enterprises and other employment were 380,000. Funding allocations are also lopsided - the Environmental and Social Management Framework of the World Bank pins the funding for restoration of livelihoods at US\$ 36.4 million (about 5 percent of the total) as compared to US\$ 596.8 million, (about 87.5 percent of the total) to be spent on housing” (Ramalingam K., 2005, Post Tsunami: Waves of Neglect, *India Resource Centre.org*, 20 May)



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- 29 UNICEF Lays Out Four Point Program for Tsunami Children, PTI, 4 January 2005.
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- 38 Ibid.
- 39 Sampath B., Tsunami Relief Work Report: A Perspective Report, [www.aidindia.org](http://www.aidindia.org)
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## xii. Disaster Management

Dr. Unnikrishnan P. V.

**C**oast of India, especially the South East coast, has a track record of multiple vulnerabilities. Despite cyclones and floods that batter the coast frequently, the response to the tsunami was characterised by knee-jerk reactions and panic responses.

Utter disrespect and disregard for human lives have been highlighted through the unprofessional way in which the early warning systems were handled. Response was often discriminatory.

Tsunami once again brought to the fore the absence of a proper understanding of disasters and the criminal absence of a comprehensive policy in dealing with them.

Initially, the rescue and relief phases witnessed support from all over India and by international agencies. The role of ordinary people in rescue and relief is reiterated here because the government system failed to channellise the enthusiasm and spirit of volunteerism of people.

Resources poured in from local people, Indians and from other parts of the world. However, lack of co-ordination, vision and above all accountability, has hampered the rehabilitation process.

The Government has yet to come out with a clear policy.

Many 'touch-and-go' agencies have packed their bags and promises by many corporate houses remain a distant dream.

Sections of the media played a constructive role and a limited number of them still continue to report.

Monsoons marked a new chapter in the lives of survivors that has become a saga of unending misery. Unfortunately, the Government and other interested parties have not put in enough efforts to correct the situation.

Even after six months when the People's Tribunal was conducted, there is no visible effort to prepare the community to respond to the possibilities of recurring disasters.



People do not have a clear idea about Government plans to respond to disasters on a long-term basis. While during discussions with the people, they expressed total ignorance of the Government's claims of a disaster management policy.

The tsunami devastated area is a proliferation point for voluntary agencies — international, national and local. They injected their philosophy, understanding, experiences, expertise and often politics.

Today, the situation calls for the active involvement and long term commitment of agencies that have experience in working in disaster situations in general and storm surges and cyclones in particular.

People's participation and innovative ideas can make voluntary initiatives a success.

The tsunami should serve as a wake up call for the government and it is time a people-oriented disaster management policy and disaster preparedness programme is formulated and implemented.

Humanitarian concerns and people's engagement should be the central themes of such a policy. Policy formulation should give sufficient space for the affected people, their rights and their active participation.

Tsunami has demonstrated that disaster response needs to be placed in the context of overall development programmes. Further equal importance needs to be given for all the stages —preparedness, rescue relief, rehabilitation and social development.

Strengthen inter-sectoral co-ordination is necessary to avoid wasteful duplication and to ensure maximised impact.

The lives lost in Tsunami will go as a waste if the Government does not involve people in formulating a disaster management policy.

### **Towards a Responsive and People-Oriented Disaster Management System**

The poor people are exposed to a multiplicity of disadvantages simultaneously. Social, economic and political disadvantages increase the vulnerability of the poor people to disasters. Further, the number of people exposed to such disasters is also steadily growing.

Various human made factors like environmental degradation, irrational mining and ill-conceived 'development' projects, polluting industries and unplanned urban expansions, amplify the incidence and ferocity of disasters.

Endemic political, religious, and ethnic violence routinely uproots and destroys several thousand Indian homes every year. Dalits and tribal people, women and artisans account for a larger percentage of the disaster-affected, completely out of proportion to their representation in the total population.

The economic and social impacts of disasters for the affected families and communities

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have not been adequately studied and understood. Documentation is limited.

Deaths, disabilities, destitution, as well as loss of property and livelihood impose enormous social and economic costs on poor people. Their short-term and long-term impact on individuals and families, and resulting devastating cumulative impact on the national economy and thus welfare and development.

The human and material devastation by the tsunami needs to be highlighted in the context of vulnerability to other disasters.

Developing a comprehensive disaster response and mitigation policy, and a legal and administrative framework to implement it is the first step to begin a long term response.

The survivors and those who face the risk of disasters must have a central role in the evolution of a policy for preparedness and response. The policy needs to be contextual to local realities, challenges and vulnerabilities and it must be based on the experiences of survivors and vulnerable people.

Appropriate information is key to involve all interested parties and the implementation of such a policy. The policy should ensure people's right to information on disaster prone areas, industries and activities in the area. It should enhance their preparedness, response measures, coping mechanisms and bolster their resilience.

While the local and regional perspectives and realities are crucial, the development of a disaster preparedness and response policy must involve stakeholders other than people's groups including regional, national, and international NGOs, international organisations, the military; and others.

The academic community, including students and teachers at the secondary and tertiary levels, and research institutions can play a significant role in policy development. Groups with agendas that are detrimental to the welfare of the people must, however, be firmly and unequivocally kept out.

Human rights bodies, especially the National Human Rights Commission need to monitor violation of rights and issues of discrimination that are hallmark of our disaster management system today.

Disaster response policy and preparedness and management programmes should ideally be an 'initiative emerging from below' and be consolidated at various levels: village, block, district and state. They should also have a national and global perspective.

Recent efforts in other parts of India to evolve decentralised development policies in general and disaster management policies in particular, such as the initiatives in Andhra Pradesh, demonstrate such a multi-involvement process. We need to learn from other disasters—both about our failures and successes.

The objective of any disaster policy, after all, is to facilitate the affected people to recover and move ahead.



## Recommendations

1. Modification is needed in the following policies to meet the needs of the most vulnerable communities
  - National insurance schemes
  - National Building Code
  - Coastal regulation acts
2. A community-based programme, with the concept of civilian/community preparedness needs to find a central place.
3. A grassroots approach that may also be the most resource-effective method in the long run.
4. While cyclones, tsunamis and other natural disasters (demanding the most extensive preparedness and rehabilitation and exacting the most immediate and long-term price) are the focus, importance should be given to other disasters, including epidemics, civil strife and slow-onset disasters like droughts.
5. People must be adequately informed, empowered and equipped to respond to disasters immediately.
6. A nodal agency should be set up at the state level to respond to all disasters, natural and human-made, conventional and unconventional, with adequate preparation and without prejudice.
7. A three-tier approach at state, district, and block levels is suggested.
8. Community based at the village level, Panchayat systems and their aggregates at the block, district, and state levels can play an active role in disaster preparedness and response strategies.
9. Setting up of a 'rapid rescue and relief force' comprising community, panchayat, and district levels with Government, and military personnel at each of the three tiers. They need to be trained and prepared for rapid deployment.
10. Government needs to take the responsibility to coordinate between the concerned Government agencies, voluntary groups, professional groups, the international community, and the affected community.
11. Set-up joint committees of the Government and NGOs for disaster response. Sector-wise specialisation and prioritisation will help limited resources reach the affected people on time.
12. Evolve a strategic plan for the next few years would avoid overlap in the immediate aftermath of disasters. Various agencies should clarify their emergency policies to



each other and to their collateral partners, and map areas of common and supplementary purpose and capability.

13. Evolve a mechanism to ensure transparency, accountability and monitor the performance of various agencies and their interventions. Institute public audits of their performance in order to enhance the quality of their intervention.
14. Periodic 'White Papers' on disasters needs to be put in the public domain to ensure transparency regarding the resources distributed by the National Fund for Calamity Relief, the Prime Minister's Relief Fund, Natural Disaster Management Division of the Ministry of Agriculture, MP's Fund, various bilateral and multilateral agencies, public sector agencies, building industries, political parties, and NGOs.
15. The Government may also constitute a committee exclusively to deal with disasters and dedicate time in Parliament as well as State Assemblies and to discuss disaster response measures undertaken.
16. There is an urgent need to conduct a 'risk audit' to detect and delineate disaster vulnerable zones. This risk audit report should be accessible to the public. Presently, at this time, documents and information that are most valuable to people remain entirely out of their reach.
17. Development of adequate human resources with applicable technical skills is a necessity. Schools, colleges and universities could start courses on disaster preparedness and response strategies. Emphasis should be placed on Civil Service trainees and others.
18. The print and electric media as well as the Internet and cable television network could play a crucial role in shaping public perceptions as well as in educating and equipping people about disasters.
19. The planners and policy makers must ensure the participation of women and vulnerable sections to ensure that they benefit equally. To press this point, it may be mentioned here that only the active involvement of women in disaster management can guarantee gender-sensitive interventions. Food distribution systems, for instance, are most effectively managed by women, as is post-disaster child care. Efforts must be made to place women and children and their special needs high in the agenda of humanitarian response. This is no mean challenge for the disaster response community.
20. Community-based rehabilitation works best and is the most cost- and resource effective option in the long run since it enables local democratic processes, ensures the rapid recovery of community self-reliance, and protects the interests of the weakest sections.
21. Above all it is important to recognise that disaster assistance is not just an act of charity. The people affected have human rights. The situation calls for political action to address the critical issues.



#### 4. Paper Clippings



# 'Governments failed to maintain transparency'

## Implementing disaster management plans

Special Correspondent

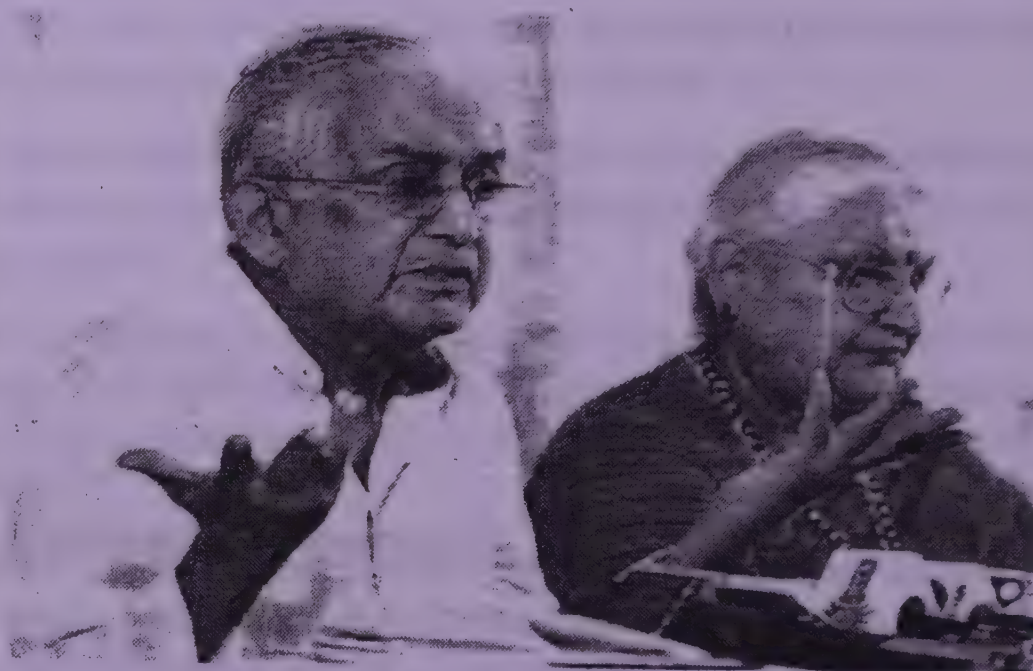
**THIRUVANANTHAPURAM:** A people's tribunal organised by a coalition for the victims of the December 26 tsunami disaster has called upon the Governments of Kerala, Tamil Nadu and Pondicherry to draw up a comprehensive plan in consultation with the victims for their rehabilitation and to set up village-level committees to implement it.

The tribunal was organised by an NGO, 'Voices from the Margins', whose members visited the affected areas in the two State and Union Territory and conducted a two-day public hearing during which about 250 survivors narrated their woes before them.

Briefing presspersons here today on the tribunal's preliminary findings, the members, former judge of the Mumbai High Court H. Suresh and former chairperson of the National Women's Commission Mohini Giri said that the Governments concerned had failed to consult the victims or maintain transparency while implementing disaster management plans.

The delay in rehabilitating the victims amounted to gross violation of their rights to relief, shelter, work and food. The authorities were still talking of a disaster management plan when the emphasis should be on giving back to the victims their homes and sources of livelihood and helping their children get back to school.

"Arbitrary fixing of compensation on the basis of property lost will not do. The authorities



**MAKING A POINT:** The former judge of the Mumbai High Court H. Suresh and the former chairperson of the National Women's Commission Mohini Giri briefing presspersons on the recommendations of the people's tribunal for tsunami victims in Thiruvananthapuram on Sunday. PHOTO: S. MAHINSHA

are ignoring the fact that when a home is lost, everything is lost," Mr. Suresh said.

Five months after the disaster, not a single new permanent structure had come up or designs finalised for the victims' rehabilitation though there was no dearth of funds for the purpose. "The National Human Rights Commission has also not done anything for the tsunami victims. It can at least ask where the funds have gone," Mr. Suresh said.

The victims were still living in temporary shelters with hardly any facilities or privacy, especially for women and children. There were no arrangements for

proper water supply in the shelters and the toilets attached to them were highly unsanitary. With the monsoon round the corner, the threat of epidemics loomed large.

Ms. Mohini Giri said the women and children were the worst hit, as was the case in all such disasters.

The authorities should provide free education to all children from tsunami-hit families up to the 10th standard.

"One woman, whose husband died in the disaster, told me that the authorities were denying educational aid for her children just because they were studying in a private school," she said.



THIRUVANANTHAPURAM

THE HINDU • SUNDAY, MAY 29, 2005

# Tsunami victims narrate their woes before tribunal

## Tardy progress in rehabilitation alleged

Staff Reporter

THIRUVANANTHAPURAM: The tsunami victims who attended the people's tribunal organised here today criticised the State Government for failing to utilise the funds to rehabilitate the affected families. The former Pro-Vice-Chancellor N.A. Karim who inaugurated the public hearing organised by Voices from the Margins, coalition for victims of tsunami, said that the rehabilitation of the survivors could have been done fairly well had the Government utilised at least 50 per cent of the Rs.300 crores it received for the purpose.

Twenty-eight persons from Kerala, Tamil Nadu and Pondicherry belonging to the fishermen, Dalit and tribal communities narrated their woes during the two-day hearing. They complained about the temporary shelters that were

- Complaints received about temporary shelters
- Experts to galvanise public opinion
- Relief yet to reach survivors of the disaster

built for them. Women complained about the lack of toilet facilities in the camps at Azheekkal in Kollam district where the tsunami claimed 183 lives.

The tribunal comprises Hosbet Suresh, former Judge of the Mumbai High Court; D. Sreedevi, former Kerala High Court Judge; Mohini Giri, former chairperson of the National Women's Commission; human rights activists; engineers and disaster management experts.

The tribunal was formed in the wake of the tardy progress in the rehabilitation process. De-

spite liberal contributions and financial commitments made from various quarters, the relief is yet to reach the survivors. The public hearing was held in the wake of information collected by a core group.

### Visits conducted

The members of the group conducted a series of visits to the affected areas and gathered information on the relief activities; health and sanitation; care for women and children; education to the children in the affected areas; environmental problems and disaster preparedness.

The group of experts will galvanise public opinion and exert pressure on the Governments and other agencies that are involved in the rehabilitation and reconstruction works, said a press release issued today by the organisers.



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The New Indian Express  
Thiruvananthapuram

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# People's tribunal calls for more transparency

EXPRESS NEWS SERVICE

Thiruvananthapuram, May 29: The People's Tribunal on Post-Tsunami Relief and Rehabilitation Challenges and Responses has called for greater transparency in the tsunami relief and rehabilitation measures.

The two-day tribunal, which heard the testimonies of over 40 tsunami-affected people from various states, culminated here on Saturday.

Tribunal member Justice Hosbet Suresh said that there was no clue regarding the utilisation of the huge amounts of relief money

collected by the governments of tsunami affected states.

He urged the National Human Rights Commission to monitor the flow of money collected by way of relief.

## Rehabilitation of tsunami-hit

Further, he said, the victims have not been consulted on the kind of relief measures initiated on their behalf.

"All the schemes have been planned arbitrarily without any reference to the reality and without taking the people into confidence," he said. According to him, the disaster management plan of the State

Government has failed as it has not taken into account the violation of human rights of the tsunami victims.

"Losing a home is as good as losing everything. Not

just the right to housing but the rights to environment, education and food also are taken away. The government has failed to acknowledge this fact," Justice Suresh said.

Mohini Giri, former chairperson of the Women's Commission and tribunal member, said that sanitation conditions at relief

camps were pathetic. "The toilets are full and dirty and this is adversely affecting the health of women and children," she said. "Women are not recognised as entitled to compensation," Justice Suresh said.

The members said that there was no justification for the government's insistence that the houses should not be rebuilt on the seashore, where they existed earlier. The tribunal will present their interim report to the various state governments and the Central Government. The final report will be prepared after getting the responses from the various governments.



The New Sunday Express  
Thiruvananthapuram

Sunday,  
May 29, 2005

## Tsunami-hit assemble for 'people's tribunal'

EXPRESS NEWS SERVICE

Thiruvananthapuram, May 28: If the State Government had utilised at least half of the Rs.300-crore tsunami fund it has, the lives of the survivors could have been rebuilt by now, according to educationalist N.A.Karim.

He was inaugurating the 'people's tribunal on post tsunami challenges and response' here on Saturday.

Around 250 survivors of the tsunami disaster from Kerala, Tamil Nadu and Pondicherry have assembled for the two-day tribunal. As many as 28 survivors belonging to the fishermen, Dalit and Adivasi communities testified before the tribunal on the first day.

"Temporary shelters are like furnaces because of the unbearable heat. The toilets in the camps are not usable for women," Thamara from Azheekal, Kollam told the tribunal. "Privacy is the biggest concern for the women. In relief camps, there is no privacy and women are facing terrible inconvenience," she said. Over 183 people died in the tsunami disaster in and around Azheekkal.

The tribunal has jurists



Justice D.Sreedevi, Justice H.Suresh and National Women's Commission former chairperson Mohini Giri hearing the grievances of the victims of tsunami in Thiruvananthapuram on Saturday at the 'Peoples Tribunal' on the post-tsunami relief and rehabilitation challenges and responses organised by 'Voices from the margins' - a coalition for the tsunami victims: Express

such as justice Hosbet Suresh, justice D.Sreedevi and former chairperson of the National Women's Commission Mohini Giri and experts such as human rights activists, environmentalists, women's rights activists, health experts, disaster management specialists and civil engineers.

The tribunal heard de-

positions on key issues concerning right to relief, livelihood, health and sanitation, care for women and children, discrimination (related to cast and communities), housing, environment and marine ecology, human rights and disaster preparedness.

John, a fisherman from Kulachal in Kanyakumari district who was crippled by

the tsunami, said before the tribunal how he shuttled from pillar to post for compensation for injuries he sustained.

He said that there were more than a thousand people in his village itself who were not given disability certificate owing to which the authorities had denied them compensation.



திருவனந்தபுரத்தில் மக்கள் நீதிமன்றம்:

## சுனாமி தீர்ப்பாய குழு முன் குமரி மீனவர்கள் 30 பேர் வாக்கு மூலம்

திருவனந்தபுரம், மே 30-  
சுனாமியால் பாதிப்புக்குள்  
ளான தமிழ்நாடு, பாண்டிச்  
சேரி மற்றும் கேரளா ஆகிய  
மாநிலங்களில் உள்ள கடலோர  
பகுதிகளை ஆய்வு செய்வதற்  
காக நீதிபதிகள் அடங்கிய 15  
பேர் கொண்ட மக்கள்  
தீர்ப்பாயக்குழு 3 பிரிவுகளாக  
பிரிந்து கடந்த 27-ந் தேதி  
கன்னியாகுமரிக்கு வந்தார்கள்.

நீதிபதி சுரேஷ் தலை  
மையில் கோபால் குரு, ரவி  
நாயர், உதயகுமார் அடங்கிய  
மக்கள் தீர்ப்பாய குழு குமரி  
மாவட்டத்திற்கு வந்தது.  
மணக்குடி, குளச்சல், சைமன்  
காலனி, மண்டைக்காடு, புதூர்,  
பின்னண்தோப்பு ஆகிய 15-ற்கும்  
மேற்பட்ட கடலோர கிராமங்  
களுக்கு சென்று மீனவர்களின்  
இன்றைய வாழ்க்கை தரம்,  
தற்காலிக குடியிருப்புகளின்  
நிலைமைய, தொழில்  
பாதிப்புகள், சுகாதாரம்,  
வீடுகள் கட்டுவது போன்ற  
வைகளை பற்றி மக்களிடம்  
ஆய்வு நடத்தினார்கள்.

பின்பு 3 பிரிவுகளாக பிரிந்து  
ஆய்வு நடத்திய தீர்ப்பாயக் குழு  
28-ந் தேதி திருவனந்தபுரத்தில்  
உள்ள மன்னம் மெமோரியல்  
ஹாலில் ஒன்று கூடினார்கள்.  
அங்கு சுனாமியால் பாதிப்புக  
ளுள்ள மக்களை 3  
மாநிலங்களிலிருந்தும்  
அழைத்து வரப்பட்டிருந்  
தார்கள்.

திருவனந்தபுரம் மன்னம்  
மெமோரியல் ஹாலில்  
அமைக்கப்பட்டிருந்த மக்கள்  
நீதிமன்றத்தில் நீதிபதி சுரேஷ்  
(மூம்பை உயர் நீதிமன்றம்),  
நீதிபதி ஸ்ரீதேவி (கேரள உயர்  
நீதிமன்றம்), மோகினி கிரி  
(முன்னாள் தேசிய பெண்கள்



திருவனந்தபுரம் மன்னம் மெமோரியல் ஹாலில் நீதிபதிகள் அடங்கிய மக்கள் தீர்ப்பாய குழுவின் மக்களிடம் வாக்குமூலம் வாங்கியபோது எடுத்த படம்.

ஆணைய தலைவர்), இப்பால்,  
கோபால்குரு, ஆனந்த்,  
டெல்தும்பிளே, ரவிநாயர்,  
ஜி.சங்கர், பரசுராமன்,  
அருணாச்சலம், உன்னி  
கிருஷ்ணன், மனோகரி, உதய  
குமார், தங்கராஜ், சிவனப்பன்,  
அனிதா, மாத்தூர் ஆகியோர்  
அமர்ந்திருந்தனர்.

அவர்கள் முன்பு குமரி  
பாதிப்புக்குள்ளான மக்கள்  
வாக்கு மூலம் அளித்தார்கள்.  
பலரும் தங்கள் வாழ்க்கையே  
அழிந்துபோய்விட்டது என்றும்,  
தற்காலிக குடியிருப்புகளில்  
பெண் பிள்ளைகள் வைத்துக்  
கொண்டு வாழ வசதியில்லை  
என்றும், சில இடங்களில்  
கடலுக்கு அருகாமையிலே தற்  
காலிக குடியிருப்புகள் கட்டப்

பட்டிருக்கிறது என்றும் வாக்கு  
மூலத்தில் சொன்னார்கள்.  
அதே போன்று கழிவறை  
யில் குடி தண்ணீர் கூட  
சுகாதாரம் பேணி காக்கப்  
படாததால் தொற்று நோய்கள்  
உருவாகக்கூடிய சூழ்நிலை  
உள்ளது என்றும் சொன்னார்  
கள்.

குமரி மாவட்டத்தில்  
குளச்சல், சைமன் காலனி,  
முட்டம், அழிக்கால், மிடாலம்  
ஆகிய பகுதிகளை சேர்ந்த 30  
பேர் வாக்கு மூலம்  
அளித்தார்கள். உள்நாட்டு  
மீனவர்கள் 5 பேர் மீன் தொழில்  
பாதிப்பை பற்றி வாக்கு மூலம்  
சொன்னார்கள்.

இதைத் தொடர்ந்து மீனவ  
அமைப்பு, தலித் அமைப்பு

மற்றும் தன்னார்வ தொண்டு  
திருவன பிரதிநிதிகள் பிரதிநி  
தரத், அண்டன் கோமஸ்,  
நாஞ்சில்ரவி, ரோமால்டு,  
சாத்தாகுருஸ், பிடரெரிக்,  
முட்டம் யூனின், மரியதாசன்  
போன்ற பலரும் தங்களது  
ஆய்வறிக்கையை சமர்ப்பித்  
தார்கள்.

மக்களிடம் நடத்திய விசார  
ணையிலும் நேரிலும் தெரிந்து  
கொண்டவை கொண்டு மக்கள்  
தீர்ப்பாயக் குழு ஆய்வறிக்கை  
யை தயாரித்து, அதனை  
மத்திய, மாநில அரசுகளிடம்  
சமர்ப்பிக்க இருக்கிறார்கள்.

இத்தகவலை பத்திரிகை  
ஒருங்கிணைப்பாளர்  
சி.முத்துகுமார் தெரிவித்துள்  
ளார்.



# Tsunami victims narrate their woes before tribunal

## Tardy progress in rehabilitation alleged

Staff Reporter

**THIRUVANANTHAPURAM:** The tsunami victims who attended the people's tribunal organised here today criticised the State Government for failing to utilise the funds to rehabilitate the affected families. The former Pro-Vice-Chancellor N.A. Karim who inaugurated the public hearing organised by Voices from the Margins, coalition for victims of tsunami, said that the rehabilitation of the survivors could have been done fairly well had the Government utilised at least 50 per cent of the Rs.300 crores it received for the purpose.

Twenty-eight persons from Kerala, Tamil Nadu and Pondicherry belonging to the fishermen, Dalit and tribal communities narrated their woes during the two-day hearing. They complained about the temporary shelters that were

• **Complaints received about temporary shelters**

• **Experts to galvanise public opinion**

• **Relief yet to reach survivors of the disaster**

built for them. Women complained about the lack of toilet facilities in the camps at Azheekkal in Kollam district where the tsunami claimed 183 lives.

The tribunal comprises Hosbet Suresh, former Judge of the Mumbai High Court; D. Sreedevi, former Kerala High Court Judge; Mohini Giri, former chairperson of the National Women's Commission; human rights activists; engineers and disaster management experts.

The tribunal was formed in the wake of the tardy progress in the rehabilitation process. De-

spite liberal contributions and financial commitments made from various quarters, the relief is yet to reach the survivors. The public hearing was held in the wake of information collected by a core group.

### Visits conducted

The members of the group conducted a series of visits to the affected areas and gathered information on the relief activities; health and sanitation; care for women and children; education to the children in the affected areas; environmental problems and disaster preparedness.

The group of experts will galvanise public opinion and exert pressure on the Governments and other agencies that are involved in the rehabilitation and reconstruction works, said a press release issued today by the organisers.





மக்கள் தீர்ப்பாயக் குழுவினரிடம் குமரி மாவட்ட மினவர்கள் வாக்குமலம் அளித்தபரிந்து  
எடுத்த படம்.

கனாமி தீர்ப்பாயக்குழுவிடம்

## குமரி மாவட்ட மினவர்கள் வாக்குமலம்

கனாமி பாதிப்பு பற்றி  
விளக்கினார்கள்

நாகர்கோவில், மே. 30—  
கனாமி தீர்ப்பாயக்குழு  
விடம் கனாமி பாதிப்பு  
குறித்து குமரி மாவட்ட மின  
வர்கள் வாக்குமலம்  
அளித்தனர்.

**தீர்ப்பாயக்குழு**

கனாமியால் பாதிப்புக்குள்  
ள்ள தமிழ்நாடு, பாண்டிச்சேரி  
மற்றும் கோலா மாதிலங்கனில்  
உள்ள கடலோர பகுதிகளை  
ஆய்வு செய்வதற்காக அமைக்கப்  
பட்ட 15 பேர் கொண்ட மக்கள்  
தீர்ப்பாயக்குழுவின் கூட்ட  
27-ந்தேதி கன்னியாகுமரி  
வந்தனர்.

நிதிபதி கரேஷ் தலைமை  
யிலான இக்குழுவினர் குமரி  
மாவட்டம் மணக்குடி, குளச்சல்,  
சைமன்காலனி, மன்னடைக்காடு,  
புதூர், பிள்ளைதொப்பு ஆகிய  
பகுதிகளும் மேற்பட்ட கடலோர  
பிராமங்களுக்கு சென்று, மினவர்  
களின் இன்றைய வாழ்க்கை தரம்

தள்ளுவதில் குடியிருப்புகளின்  
தலைமை, தொழில் பாதிப்புகள்,  
சுகாதாரம், வீடுகள் கட்டுவது  
போன்றவைகளை பற்றி மக்கள்  
ிடம் ஆய்வு நடத்தினார்கள்.

மூன்று பிரிவுகளாக பிரிந்து  
ஆய்வு நடத்திய தீர்ப்பாயக்குழு  
வினர் பின்னர் திருவனந்தபுரத்  
தில் உள்ள மன்னம்  
மெமோரியல் ஹாலில் ஒன்று  
கூடினார்கள்.

**குமரி மாவட்ட மினவர்கள்**

அப்போது இக்குழுவினரிடம்  
குமரி மாவட்டம் குளச்சல்,  
சைமன்காலனி, முட்டம், அழிக்  
காலை, மிடலம் ஆகிய  
பகுதிகளை சேர்ந்த 30 பேர்  
வாக்கு மலம் அளித்தார்கள்.  
மினவர்கள் 5 பேர் மின் தொழில்  
பாதிப்பை பற்றி வாக்கு மலம்  
கொடுத்தனர்.

இதை தொடர்ந்து மினவர்  
அமைப்பு தலித் அமைப்புகளும்  
தன்னார்வ தொண்டு நிறுவன

பிரதிநிதிகள் பிரதிநிதரது  
அண்டன்லோமல், நான்கில் ரவி,  
ரோமாவது. சந்திரகுரு  
மிரடெரிக், முட்டம் பூதின்,  
மரியதாசன் ஆகியவர் ஆய்  
வறிக்கையை சமர்ப்பித்தார்கள்.

**மத்திய அமைப்பு**

மக்களிடம் நடத்திய விசார  
ணைமீதும், தேரிடும் தெரிந்து  
கொண்டவை கொண்டு மக்கள்  
தீர்ப்பாயக்குழு ஆய்வறிக்கையை  
தயாரித்து அதனை மத்திய —  
மாநில அரசுகளிடம் சமர்ப்பிக்க  
இருக்கிறார்கள்.



## சுனாமி பாதித்த பகுதிகளில் நீதிபதிகள் அடங்கிய தீர்ப்பாயக் குழு ஆய்வு

நாகர்கோவில், மே 30: சுன்னியா துமரி மாவட்டத்தில் சுனாமி பாதித்த பகுதிகளில் நீதிபதிகள் அடங்கிய மக்கள் தீர்ப்பாயக் குழுவின் சேத விவரம் குறித்து ஆய்வு செய்தனர்.

சுனாமியால் பாதிக்கப்பட்ட தமிழ்நாடு, புதுச்சேரி மற்றும் கேரள மாநிலங்களில் உள்ள கடலோரப் பகுதிகளை ஆய்வு செய்வதற்காக நீதி பதிகள் அடங்கிய 15 பேர் கொண்ட மக்கள் தீர்ப்பாயக் குழு 3 பிரிவுகளாகப் பிரிந்து வெள்ளச்சிழிமை சுன்னியா துமரி வந்தது.

நீதிபதி சுரேஷ் தலைமையில் கோபால் குரு, ரவி நாயர், உதயகுமார் அடங்கிய மக்கள் தீர்ப்பாயக் குழு மணக்குடி, குளச்சல், சைமன்காலனி, மண்ணைக்காடு புதுர், பின்னைத்தோப்பு உள்ளிட்ட 15-க்கும் மேற்பட்ட கடலோரக் கிராமங்களுக்குச் சென்று மீனவர்களின் வாழ்க்கைத் தரம், தாற்காலிகக் குடியிருப்புகளின் நிலை, தொழில் பாதிப்புகள், சுகாதாரம், வீடுகள் கட்டுவது குறித்து மக்களின் கருத்து ஆகியவை குறித்து ஆய்வு நடத்தியது.

இக் குழுவின் திருவனந்தபுரத்திலுள்ள மன்னம் மெமோரியல் ஹாலில் சனச்சிழிமை கூடினர். அங்கு சுனாமியால் பாதிக்கப்பட்ட 3 மாநிலங்களில் இருந்தும் மக்கள் அழைத்து வரப்பட்டனர்.

திருவனந்தபுரத்தில் கூடிய இந்த மக்கள் நீதிமன்றத்தில் நீதிபதி சுரேஷ் (மும்பை உயர் நீதிமன்றம்), நீதிபதி ஸ்ரீதேவி (கேரள உயர் நீதிமன்றம்), மோகினி கிரி (முன்னாள் தேசிய பெண்கள் ஆணையத் தலைவர்), இக் பால் உள்ளிட்டோர் இடம் பெற்றிருந்தனர்.

அவர்கள் முன் பாதிப்புக்குள்ளான மக்கள் வாக்குமூலம் அளித்தனர். பெரும்பாலானவர்கள் தங்கள் வாழ்க்கையே அழிந்து விட்டது என்றும், தாற்காலிகக் குடியிருப்புகளில் பெண் குழந்தைகளைவைத்துக் கொண்டு வாழ வசதியில்லை என்றும், சில இடங்களில் கடலுக்கு அருகிலேயே தாற்காலிக குடியிருப்புகள் கட்டிக் கொடுக்கப்பட்டுள்ளது என்றும் புகார் தெரிவித்தனர்.

மேலும், குடிக்கும் தண்ணீர்கூட கத்தமாக இல்லாததால் தொற்று நோய்கள் உருவாகும் குழல் உருவாகியுள்ளது என்றும் அவர்கள் கூறினர்.

துமரி மாவட்டத்தில் குளச்சல், சைமன்காலனி, முட்டம், அழிக்கால், மிடாஸம் ஆகிய பகுதிகளைச் சேர்ந்த 30 பேர் வாக்குமூலம் அளித்தனர்.

இந்த வாக்குமூலம் மற்றும் ஆய்வு தொடர்பான மக்கள் தீர்ப்பாயக் குழு தனது அறிக்கையை மத்திய, மாநில அரசுகளிடம் சமர்ப்பிக்க உள்ளது.



# 'சுனாமி' தீர்ப்பாயக்குழு 27-ந் தேதி குமரி வருகை

நாகர்கோவில், மே. 25-  
சுனாமியால் பாதிப்புக்குள்  
ளான தமிழ்நாடு, பாண்டிச்  
சேரி, கேரளா மாநிலங்களில்  
உள்ள கடலோர கிராமங்களில்  
சுனாமியால் ஏற்பட்டுள்ள  
பாதிப்புகளின் உண்மை  
நிலையை நேரில் கண்டறிய  
நீதிபதிகள் அடங்கிய 15 பேர்  
கொண்ட சுனாமியால்  
பாதிக்கப்பட்டவர்களுக்கான  
மக்கள் தீர்ப்பாய குழுவின்  
தமிழகத்திற்கு வருகிற 27-ந்  
தேதி வருகிறது.

இத்தீர்ப்பாய குழுவில்  
நீதிபதி சுரேஷ் (மும்பை  
உயர்நீதிமன்றம்), மோகினிகிரி  
(முன்னாள், தேசிய பெண்கள்  
ஆணையத் தலைவர்), நீதிபதி  
ஸ்ரீதேவி (கேரள உயர்  
நீதிமன்றம்), இப்பால்  
(முன்னாள் துணைவேந்தர்  
கேரளா பல்கலைக்கழகம்),  
பேராசிரியர் கோபால் குரு,  
டாக்டர் அனந்த் டெல்தும்பிளே,  
ரவி நாயர் (டெல்லி), ஜி.சங்கர்,  
டாக்டர் பரசுராமன், டாக்டர்  
அருணாச்சலம், டாக்டர்  
பி.வி.உன்னிகிருஷ்ணன்,

மனோகரரி, டாக்டர்.  
உதயகுமார், தங்கராஜ், டாக்டர்.  
சிவனப்பன், அனிதா மாத்னர்  
ஆகியோர் இடம் பெற்றுள்ளனர்.  
இக்குழு 3 பிரிவுகளாக  
பிரிந்து தமிழ்நாடு,  
பாண்டிச்சேரி மற்றும் கேரளா  
மாநில கடற்கரையோர  
கிராமங்களில் ஆழிப்  
பேரலையால் ஏற்பட்டுள்ள  
அழிவுகளையும், உடமைகளின்  
இழப்பையும் கணக்கிடுகிறார்  
கள். பின்பு இத்தீர்ப்பாய குழு  
மறுநாள் 28-ந் தேதி  
திருவனந்தபுரத்தில் மன்னம்  
மெமோரியல் ஹாலில் ஒன்று  
சேர்கிறார்கள். அங்கு 28, 29-ந்  
தேதிகளில் சுனாமியால்  
பாதிப்புக்குள்ளான 3 மாநில  
மக்களையும் வரவழைத்து  
அவர்களிடமிருந்து வாக்கு  
மூலத்தை வாங்குவார்கள்.  
பின்பு மீனவ மக்கள்  
தலைவர்கள், தவித் மக்களின்  
பிரதிநிதிகள், தன்னார்வ  
தொண்டு நிறுவனங்களின்  
பிரதிநிதிகள், தேசிய மீனவர்  
தொழிலாளர் சங்கங்களின்  
நிர்வாகிகள் ஆகியோர் கொடுக்க

கிற ஆய்வறிக்கையையும்  
பெறுகின்றனர்.

பின்னர் இத்தீர்ப்பாய குழு  
கள் பயணத்திலும், விசாரணை  
யிலும் கண்டறிந்த தகவல்களை  
மத்திய, மாநில அரசுகளிடம்  
முன்வைக்கிறார்கள்.

குமரி மாவட்டத்திற்கு  
நீதிபதி சுரேஷ் (மும்பை  
உயர்நீதிமன்றம்), மோகினிகிரி  
(முன்னாள் தேசிய பெண்கள்  
ஆணையத் தலைவர்),  
ரவிநாயர் (டெல்லி), பேராசி  
ரியர் கோபால் குரு, முனைவர்  
உதயகுமார் கொண்ட குழு 27-ந்  
தேதி வருகிறது. குமரி மாவட்டத்  
தில் சுனாமியால் பாதிப்புக்குள்  
ளான பகுதிகளை பார்வையிடு  
கிறார்கள்.

இதற்கான ஏற்பாடுகளை  
தமிழ்நாடு ஒருங்கிணைப்  
பாளர்கள் சி.மா.பிரிதிலிராஜ்,  
அண்டன் ஜோமஸ், எட்வர்ட்  
ஆரோக்கியதாஸ், மாலதி  
மைத்லி ஆகியோர் செய்து  
வருகின்றனர்.

இத்தகவலை ஒருங்கிணைப்  
பாளர் சி.முத்துகுமார்  
தெரிவித்துள்ளார்.



திருவனந்தபுரத்தில் மக்கள் நீதிமன்றம்:

## கனாமி தீர்ப்பாய குழு முன் குமரி மீனவர்கள் 30 பேர் வாக்கு மூலம்

திருவனந்தபுரம், மே 30 - கனாமியால் பாதிப்புக்குள்ளான தமிழ்நாடு, பாண்டிச்சேரி மற்றும் கேரளா ஆகிய மாநிலங்களில் உள்ள கடலோர பகுதிகளை ஆய்வு செய்வதற்காக நீதிபதிகள் அடங்கிய 15 பேர் கொண்ட மக்கள் தீர்ப்பாயக்குழு 3 பிரிவுகளாக பிரிந்து கடந்த 27-ந் தேதி கன்னியாகுமரிக்கு வந்தார்கள்.

நீதிபதி சுரேஷ் தலைமையில் கோபால் குரு, ரவிநாயர், உதயகுமார் அடங்கிய மக்கள் தீர்ப்பாய குழு குமரி மாவட்டத்திற்கு வந்தது. மணக்குடி, குளச்சல், சைமன்காலனி, மண்டைக்காடு, புதூர், பின்னைதோப்பு ஆகிய 15-ற்கும் மேற்பட்ட கடலோர கிராமங்களுக்கு சென்று மீனவர்களின் இன்றைய வாழ்க்கை தரம், தற்காலிக குடியிருப்புகளின் நிலைமையை, தொழில் பாதிப்புகள், சுகாதாரம், வீடுகள் கட்டுவது போன்றவைகளை பற்றி மக்களிடம் ஆய்வு நடத்தினார்கள்.

பின்பு 3 பிரிவுகளாக பிரிந்து ஆய்வு நடத்திய தீர்ப்பாயக் குழு 28-ந் தேதி திருவனந்தபுரத்தில் உள்ள மன்னம் மெமோரியல் ஹாலில் ஒன்று கூடினார்கள். அங்கு கனாமியால் பாதிப்புக்குள்ளான மக்களை 3 மாநிலங்களிலிருந்தும் அழைத்து வரப்பட்டிருந்தார்கள்.

திருவனந்தபுரம் மன்னம் மெமோரியல் ஹாலில் அமைக்கப்பட்டிருந்த மக்கள் நீதிமன்றத்தில் நீதிபதி சுரேஷ் (மும்பை உயர் நீதிமன்றம்), நீதிபதி ஸ்ரீதேவி (கேரள உயர் நீதிமன்றம்), மோகினி கிரி (முன்னாள் தேசிய பெண்கள்



திருவனந்தபுரம் மன்னம் மெமோரியல் ஹாலில் நீதிபதிகள் அடங்கிய மக்கள் தீர்ப்பாய குழுவின் மக்களிடம் வாக்குமூலம் வாங்கியபோது எடுத்த படம்.

ஆணைய தலைவர்), இப்பால், கோபால்குரு, ஆனந்த், டெல்தும்பிளே, ரவிநாயர், ஜி.சங்கர், பரகராமன், அருணாச்சலம், உன்னி கிருஷ்ணன், மனோகரி, உதய குமார், தங்கராஜ், சிவனப்பன், அனிதா, மாத்தூர் ஆகியோர் அமர்ந்திருந்தனர்.

அவர்கள் முன்பு குமரி மாவட்டத்தில் பாதிப்புக்குள்ளான மக்கள் வாக்கு மூலம் அளித்தார்கள். பலரும் தங்கள் வாழ்க்கையே அழிந்துபோய்விட்டது என்றும், தற்காலிக குடியிருப்புகளில் பெண் பிள்ளைகள் வைத்துக் கொண்டு வாழ வசதியில்லை என்றும், சில இடங்களில் கடலுக்கு அருகாமையிலே தற்காலிக குடியிருப்புகள் கட்டப்

பட்டிருக்கிறது என்றும் வாக்கு மூலத்தில் சொன்னார்கள். அதே போன்று கழிவறை யில் குடி தண்ணீர் கூட ககாதாரம் பேணி காக்கப் படாததால் தொற்று நோய்கள் உருவாகக்கூடிய சூழ்நிலை உள்ளது என்றும் சொன்னார்கள்.

குமரி மாவட்டத்தில் குளச்சல், சைமன்காலனி, முட்டம், அழிக்கால், மிடாலம் ஆகிய பகுதிகளை சேர்ந்த 30 பேர் வாக்கு மூலம் அளித்தார்கள். உள்நாட்டு மீனவர்கள் 5 பேர் மீன் தொழில் பாதிப்பை பற்றி வாக்கு மூலம் சொன்னார்கள்.

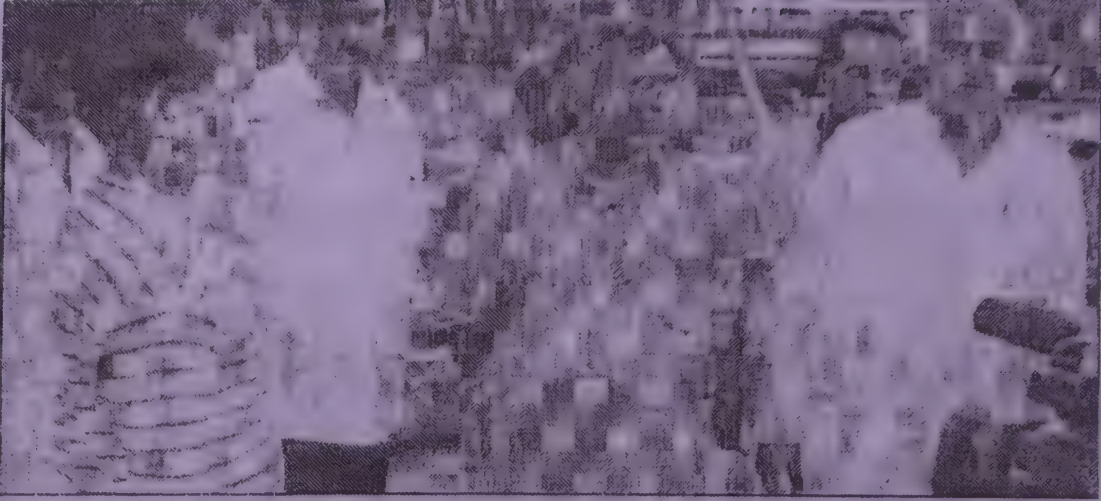
இதைத் தொடர்ந்து மீனவ அமைப்பு, தலித் அமைப்பு

மற்றும் தன்னார்வ தொண்டு நிறுவன பிரதிநிதிகள் பிரதிவி ராஜ், அண்டன் கோமஸ், நாஞ்சில்ரவி, ரோமால்டு, சாத்தாருதஸ், பிடரேரிக், முட்டம் யூனின், மரியதாசன் போன்ற பலரும் தங்களது ஆய்வறிக்கையை சமர்ப்பித்தார்கள்.

மக்களிடம் நடத்திய விசாரணையிலும் நேரிலும் தெரிந்து கொண்டவை கொண்டு மக்கள் தீர்ப்பாயக் குழு ஆய்வறிக்கையை தயாரித்து அதனை மத்திய, மாநில அரசுகளிடம் சமர்ப்பிக்க இருக்கிறார்கள்.

இத்தகவலை பத்திரிகை ஒருங்கிணைப்பாளர் சி.முத்துகுமார் தெரிவித்துள்ளார்.





முன்பு நீதிபதி சுரேஷ் தலைமையிலான மக்கள் தீர்ப்பாய குழுவின், சுனாமியால் பாதிக்கப்பட்ட மீனவர்களிடம் குறைகளை கேட்டறிந்தபோது எடுத்த படம்.

“சுனாமி”யால் பாதிக்கப்பட்ட பகுதிகளில்

## மக்கள் தீர்ப்பாய குழு விசாரணை

மீனவ மக்களிடம் குறைகளை  
கேட்டு அறிந்தனர்

குளச்சல், மே.28—  
குமரி மாவட்டம் சுனாமியால்  
பாதிக்கப்பட்ட பகுதிகளில்  
மக்கள் தீர்ப்பாய குழுவின்  
நேற்று விசாரணை நடத்தி  
னார்கள். மீனவ மக்களிடம்  
குறைகளை கேட்டு அறிந்த  
னர்.

மக்கள் தீர்ப்பாய குழு

தமிழ்நாடு, பாண்டிச்சேரி,  
கேரளாவில் கடலோர கிராமங்  
களில் சுனாமியால் ஏற்பட்டுள்ள

பாதிப்புகளின் உண்மை  
நிலையை நேரில் கண்டறிந்து,  
திரந்திர தீர்வு காண 15 பேர்  
அடங்கிய மக்கள் தீர்ப்பாய குழு  
அமைக்கப்பட்டு உள்ளது.

இந்த குழுவில் நீதிபதி சுரேஷ்  
(முன்பு ஐகோர்ட்டு) மோகினி  
மீரி (முன்னாள் தேசிய  
பெண்கள் ஆணையத் தலைவர்),  
நீதிபதி ஸ்ரீதேவி (கேரள

ஐகோர்ட்டு), இப்பால்  
(முன்னாள் துணைவிந் துர்,  
கேரள பல்கலைக்கழகம்),  
பெராசிரியர் கோபாலகுரு,  
முனைவர் அனந்த் டெவ்தும்  
மீன (புதுடெல்லி), ரவிநாயர்  
(புதுடெல்லி), ஜி.சங்கர், முனை  
வர் பரகராமன், முனைவர்  
அருணாச்சலம், டாக்டர் பி.வி.  
உளவி கிருஷ்ணன், மனோகரரி,  
டாக்டர் உதயகுமார், தங்கராஜ்,  
டாக்டர் சிவனப்பன், அனிதா  
மாத்தூர் ஆகியோர் இடம் பெற்  
றுள்ளனர்.

குமரி வசூல்க

இந்த குழுவைச் சேர்ந்த  
முன்பு நீதிபதி சுரேஷ், வல்லு  
னர் குழு பெராசிரியர் கோபால்  
குரு, முனைவர் ரவிநாயர், முனை  
வர் சுபா, உதயகுமார், முனைவர்  
பிரதிவிராஜ் உள்பட பலர் நேற்று  
குமரி மாவட்டம் வந்தனர்.

மீனவர்கள் அவர்கள் குளச்சல்  
பகுதியில் உள்ள சைமன்காலனி,  
மண்டைக்காடு உள்ளிட்ட பகுதி  
களுக்கு சென்று மீனவ மக்களி  
டம் குறைகளை கேட்டறிந்தனர்.

“சுனாமி”யால் பாதிக்கப்பட்ட  
மக்களின் உரிமை சார்ந்த பிரச்  
னைகள், வாழ்வுரிமை, உடல்  
நலம், கசாதாரம், குழந்தைகள்,  
சுலா, திரந்திர வீடு கட்டுவது,  
ஆழ்கடல் சூழலியல் மற்றும்  
பேரிடர் நிர்வாகம் போன்ற  
பிரச்சினைகளை குறித்து விசா  
ரணை நடத்தினார்கள்.

இந்த விசாரணையில் கண்ட  
றிந்த தகவல்களை, மத்திய, மாநில  
அரசாங்கிடம் அவர்கள் அறிக்கை  
யாக வைக்கிறார்கள்.

ஆணைகள் கூட்டம்

மக்கள் தீர்ப்பாய குழு ஆலோ  
சனை கூட்டம் இன்றும், நாளை  
யும் (28, 29) திருவனந்தபுரம்  
மன்னம் மெமோரியல் காமல்  
நேஷனல் கிளப்பில் சுன்னல் 10  
மணி முதல் மாலை 5 மணி வரை  
தடைபெறுகிறது.



# நதபதிகள அடங்கிய

## 15 பேர் குழு

### நாளை குமரி மாவட்டம் வருகிறது

நாகர்கோவில், மே. 26-  
கனாமியால் பாதிப்புக்  
குள்ளான தமிழ்நாடு.  
பாண்டிச்சேரி, கேரளா  
மாநிலங்களில் உள்ள  
கடலோர கிராமங்களில்  
கனாமியால் ஏற்பட்டுள்ள  
பாதிப்புகளின் உண்மை  
நிலையை நேரில் கண்ட  
நியந்திபதிகள் அடங்கிய 15  
பேர்கொண்ட கனாமி  
யால் பாதிக்கப்பட்டவர்  
களுக்கான மக்கள் தீர்ப்  
பாய குழுவினர் தமிழகத்  
திற்கு நாளை (27-ம் தேதி)  
வருகிறார்கள்.

#### 15 பேர் குழு

இத்தீர்ப்பாய குழுவில்  
நீதிபதி சுரேஷ் (மும்பை உயர்  
நீதி மன்றம்), மோகினிகிரி  
(முன்னாள் தேசிய பெண்கள்  
ஆணையத்தலைவர்), ஸ்ரீதேவி  
(கேரள உயர் நீதிமன்றம்),  
இக்பால் (முன்னாள் துணை  
வேந்தர் கேரள பல்கலைக்  
கழகம்), பேராசிரியர் கோபால்  
குரு, முனைவர் அனந்த் டெல்  
தும்பிளே, (புதுடெல்லி) ரவி  
நாயர் (புதுடெல்லி) ஜி.சங்கர்,  
முனைவர் பரசுராமன்,  
முனைவர் அருணாச்சலம்,  
டாக்டர் பி.வி.உன்னி கிருஷ்  
ணன், மனோகரரி, டாக்டர்  
உதயகுமார், தங்கராஜ், டாக்டர்  
சிவனப்பன், அனிதா மாத்னர்  
ஆகியோர் இடம் பெறுகிறார்  
கள்.

#### குமரி மாவட்டம் வருகை

இக்குழு 3 பிரிவுகளாக  
பிரிந்து தமிழ்நாடு பாண்டிச்  
சேரி மற்றும் கேரளா மாநில  
கடற்கரையோர கிராமங்களில்  
ஆழிப்பேரலையால் ஏற்பட்  
டுள்ள அழிவுகளையும், உடமை  
களின் இழப்புகளையும் கணக்  
கிடுகிறார்கள். பின்பு இத்தீர்ப்  
பாய குழு மறுநாள் 28-ம் தேதி  
திருவனந்தபுரத்தில் மன்னம்  
மெமோரியல் ஹாலில் ஒன்று  
சேர்கிறார்கள். அங்கு 28, 29-ம்  
தேதிகளில் கனாமியால் பாதிப்  
புக்குள்ளான மாநில மக்களை  
யும் வரவழைத்து அவர்களிட  
மிருந்து வாக்குமூலத்தை  
வாங்குகிறார்கள். பின்பு மீனவ  
மக்கள் தலைவர்கள், தவித்  
மக்களின் பிரதிநிதிகள், தன்  
னார்வ தொண்டு நிறுவனங்  
களின் பிரதிநிதிகள், தேசிய  
மீனவர் தொழிலாளர் சங்கங்  
களின் நிர்வாகிகள் ஆகியோர்  
கொடுக்கிற ஆய்வறிக்கையை  
யும் வாங்குகிறார்கள்.

#### அறிக்கை தாக்கல்

பின்புனர் இத்தீர்ப்பாய குழு

கள பயணத்திலும் விசாரணை  
யிலும் கண்டறிந்த தகவல்  
களை மத்திய- மாநில அரசுகளி  
டம் முன் வைக்கிறார்கள்.

குமரி மாவட்டத்திற்கு நீதிபதி  
சுரேஷ், மோகினிகிரி, ரவி  
நாயர், பேராசிரியர் கோபால்  
குரு, முனைவர் உதயகுமார்  
ஆகியோர் கொண்ட குழு  
நாளை (27-ம் தேதி) வருகிறது.  
குமரி மாவட்டத்தில் கனாமி  
யால் பாதிப்புக்குள்ளான பகுதி  
களை பார்வையிடுகிறார்கள்.

இதற்கான ஏற்பாடுகளை  
தமிழ்நாடு ஒருங்கிணைப்  
பாளர்கள் கி.மாபிரிதிவிராஜ்,  
அண்டன் தேர்மஸ், எட்வர்டு  
ஆரோக்கியதாஸ், மாலதி  
மைத்லி ஆகியோர் செய்து  
வருகின்றனர். இத்தகவலைப்  
திரி்க்னை ஒருங்கிணைப்பாளர்  
சி.முத்துசுமார் தெரிவித்தார்.



குமரி மாவட்டத்துக்கு

# மக்கள் தீர்ப்பாய குழுவினர் 27-ந்தேதி வருகை

சுனாமியால் பாதிக்கப்பட்ட  
இடங்களை பார்வையிடுகிறார்கள்

நாகர்கோவில், மே. 25—  
குமரி மாவட்டத்துக்கு  
மக்கள் தீர்ப்பாய குழுவினர்  
27-ந்தேதி வருகிறார்கள்.  
அவர்கள் சுனாமியால்  
பாதிக்கப்பட்ட இடங்களை  
பார்வையிடுகிறார்கள்.

மக்கள் தீர்ப்பாய குழு

தமிழ்நாடு, பாண்டிச்சேரி,  
கேரளாவில் கடலோர கிராமங்  
களில் சுனாமியால் ஏற்பட்டுள்ள  
பாதிப்புகளின் உண்மை  
நிலையை நேரில் கண்டறிய 15  
பேர் அடங்கிய மக்கள் தீர்ப்பாய  
குழு அமைக்கப்பட்டுள்ளது.

இந்த குழுவில் தீர்ப்புக் குழு  
(மும்பை ஐகோர்ட்டு), மோகினி  
கிரி (மும்பை தேசிய பெண்  
கள் ஆணையத்தலைவர்), தீதி

பதிழ் தேவி (கேரள ஐகோர்ட்டு),  
இக் பால் (மும்பை துணை  
வேந்தர், கேரள பல்கலைக்கழ  
கம்), பேராசிரியர் கோபால் குரு,  
முனைவர் அனந்த் டெல்தும்  
பிளே (புதுடெல்லி), ரவி நாயர்  
(புதுடெல்லி), ஜி.சங்கர், முனை  
வர் பரசுராமன், முனைவர்  
அருணாச்சலம், டாக்டர்  
பி.வி.உன்னிகிருஷ்ணன், மனோ  
கரரி, டாக்டர் உதயகுமார்,  
தங்கராஜ், டாக்டர் சிவனப்பன்,  
அனிதா மாத்தார் ஆகியோர்  
இடம் பெற்றுள்ளனர்.

வாக்குமூலம்

இக்குழுவினர் முன்று பிரிவு  
களாக பிரிந்து தமிழ்நாடு

பாண்டிச்சேரி மற்றும் கேரளா  
மாநில கடற்கரையோர கிராமங்  
களில் சுனாமி பேரலையால்  
ஏற்பட்ட அழிவுகளையும்,  
உடமைகளின் இழப்பையும்  
வருகிற 27-ந்தேதி கணக்கிடு  
கிறார்கள். பின்பு குழுவினர்  
28-ந்தேதி திருவனந்தபுரத்தில்  
மன்னம் மெமோரியல் ஹாலில்  
ஒன்று சேருகிறார்கள். அங்கு 28,  
29-ந்தேதிகளில் சுனாமியால்  
பாதிப்புக்குள்ளான மூன்று  
மாநில மக்களையும் வர  
வழித்து அவர்களிடமிருந்து  
வாக்குமூலத்தை வாங்குகிறார்  
கள். மீளவ மக்கள் தலைவர்கள்,  
தலித் மக்களின் பிரதிநிதிகள்,  
தன்னார்வ தொண்டு நிறுவனங்  
களின் பிரதிநிதிகள், தேசிய  
மீளவத் தொழிலாளர் சங்கங்  
களின் நிர்வாகிகள் ஆகியோர்  
கொடுக்கிற ஆய்வறிக்கையையும்  
வாங்குகிறார்கள்.

பின்னர் இத்தீர்ப்பாய குழு  
வினா சுற்றுப்பயணத்திலும்,  
விசாரணைவிலும் கண்டறிந்த  
தகவல்களை மத்திய-மாநில  
அரசுகளிடம் தாக்கல் செய்கி  
றார்கள்.

குமரி மாவட்டம் வருகை

குமரி மாவட்டத்துக்கு தீர்ப்பு  
சுரேஷ் (மும்பை ஐகோர்ட்டு),  
மோகினிகிரி (மும்பை தேசிய  
பெண்கள் ஆணையத்தலைவர்),  
ரவி நாயர் (புதுடெல்லி), பேரா  
சிரியர் கோபால் குரு, முனைவர்  
உதயகுமார் ஆகியோர்  
கொண்ட குழுவினர் வருகிற  
27-ந்தேதி வருகிறார்கள். குமரி  
மாவட்டத்தில் சுனாமியால்  
பாதிப்புக்குள்ளான பகுதிகளை  
பார்வையிடுகிறார்கள். இதற்  
கான ஏற்பாடுகளை தமிழ்நாடு  
ஒருங்கிணைப்பாளர்கள்  
சி.மா.பிரதிவிராஜ், அண்டன்  
ஜோமஸ், எட்.எர்.ட. ஆரோக்கிய  
நாஸ் மாலதி மைத்லி ஆகியோர்  
செய்து வருகிறார்கள்.

இந்த தகவலை பத்திரிகை  
ஒருங்கிணைப்பாளர் சி.முத்து  
குமார் தெரிவித்தார்.



## സുനാമിബാധിത പ്രദേശങ്ങളിൽ മനുഷ്യാവകാശലംഘനം: ജനകീയ കോടതി

തിരുവനന്തപുരം : സുനാമി ബാധിത പ്രദേശങ്ങളിൽ കടുത്ത മനുഷ്യാവകാശ ലംഘനങ്ങളാണ് നടക്കുന്നതെന്ന് ഇതുസംബന്ധിച്ച് രൂപീകരിച്ച ജനകീയ കോടതി ആരോപിച്ചു.

സുനാമി ദുരിതബാധിതരിൽ നിന്ന് തെളിവെടുത്ത് തയ്യാറാക്കിയ രേഖ രാഷ്ട്രപതിക്കും ദേശീയ മനുഷ്യാവകാശ കമ്മീഷനും കൈമാറുമെന്ന് ജനകീയ കോടതി പ്രവർത്തകർ പത്രസമ്മേളനത്തിൽ പറഞ്ഞു.

ദുരിതബാധിതരുമായി ചർച്ച ചെയ്യാതെ ഏകപക്ഷീയമായി ചില പദ്ധതികൾ അവരുടെ മേൽ അടിച്ചേല്പിക്കുകയാണ് കേരള, തമിഴ്നാട്, പോണ്ടിച്ചേരി സർക്കാരുകൾ ചെയ്യുന്നത് 'കോടതി' ചൂണ്ടിക്കാട്ടി.

വിവിധ കേന്ദ്രങ്ങളിൽ നിന്ന് ലഭിച്ച സാമ്പത്തിക സഹായം വിതരണം ചെയ്യാൻ സർക്കാർ സുതാര്യമായ നടപടികൾ സ്വീകരിക്കാതിരുന്നത് അഴിമതിയും ക്രമക്കേടുകളും നടന്നതായുള്ള ആക്ഷേപ

ത്തിന് ഇടയാക്കി.

സുനാമി ദുരിതബാധിതർക്ക് ആദ്യം വേണ്ടത് സുരക്ഷിതമായ പാർപ്പിടങ്ങളും ജീവനോപാധികളുമാണ്. കൂടാതെ അവർക്ക് തൊഴിലും വിദ്യാഭ്യാസവും ഉറപ്പാക്കണം. ദുരിതാശ്വാസ ക്യാമ്പുകളിൽ സ്ത്രീകളുടെയും കുട്ടികളുടെയും സ്ഥിതി പരിതാപകരമാണ്. അഴിമതിക്കാരായ ചില ഉദ്യോഗസ്ഥരുടെ നിക്ഷിപ്ത താൽപര്യങ്ങളും കളക്ടർമാരുടെ ഓഫീസ് കേന്ദ്രീകരിച്ചുള്ള പ്രവർത്തനങ്ങളും പുനരധിവാസ പദ്ധതികളെ പിന്നോട്ടടിക്കുകയാണെന്നും 'കോടതി' അഭിപ്രായപ്പെട്ടു.

റിട്ട. ഇസ്റ്റിസ് എച്ച്. സുരേഷ്, ദേശീയ വനിതാ കമ്മീഷന്റെ മൂന്ന് ചെയർപേഴ്സൺ ഡോ. മോഹിനിഗിരി, ടാറ്റാ ഇൻസ്റ്റിറ്റ്യൂട്ട് ഓഫ് സോഷ്യൽ സയൻസസ് ഡയറക്ടർ പ്രൊഫ. എസ്. പരശുരാമൻ, ഹാബിറ്റാറ്റ് ചെയർമാൻ ശങ്കർ, ഡോ. പി.വി. ഉണ്ണിക്കൃഷ്ണൻ എന്നിവർ പത്രസമ്മേളനത്തിൽ പങ്കെടുത്തു.



സതേൺസ്റ്റാർ

3 2005 മെയ് 27 വെള്ളി

# സുനാമി ബാധിതരുടെ പ്രശ്നങ്ങൾ വിലയിരുത്താൻ ജനകീയ കോടതി

തിരു: സുനാമി ബാധിത ഗ്രാമങ്ങളിലെ പ്രശ്നങ്ങളും നടപടികളും ജനകീയ കോടതി വിലയിരുത്തുന്നു.

വിവിധ ജനകീയ സംഘടനകളും സർക്കാരിതര സംഘടനകളും, മത്സ്യത്തൊഴിലാളി സംഘടനകളും, ദളിത സമൂഹ സംഘടനകളും ദുരിതബാധിതരോട് സഹാനുഭൂതിയുള്ള വ്യക്തികളും ചേർന്നാണ് ജനകീയകോടതി രൂപീകരിച്ചിട്ടുള്ളത്.

ജസ്റ്റിസുമാരായ സുരേഷ്, ശ്രീദേവി, വനിതാകമ്മീഷൻ മുൻ അധ്യക്ഷ ഡോ. വി. മോഹിനി ഗിരി എന്നിവരടങ്ങുന്ന ജനകീയ കോടതി മേയ് 28, 29 തീയതിക

ളിൽ തിരുവനന്തപുരത്തുവെച്ച് തെളിവെടുപ്പു നടത്തുമെന്ന് സംഘടാകർ ഒരു പത്രസമ്മേളനത്തിൽ അറിയിച്ചു.

തിരുവനന്തപുരം പ്രസ് ക്ലബ്ബിൽ നടത്തിയ പത്രസമ്മേളനത്തിൽ എസ്.എം. പൃഥ്വിരാജ്, മാഗ്ളിൻ പീറ്റർ, മാലതി മൈത്രി തുടങ്ങിയവർ പത്രസമ്മേളനത്തിൽ സംബന്ധിച്ചിരുന്നു.

ദുരിതാശ്വാസം, പുനരധിവാസം, ദീർഘകാല വികസനം എന്നിവയ്ക്കുവേണ്ടി നടത്തിയ പ്രവർത്തനങ്ങൾ ഫലപ്രദമാണോ, നടപ്പിലാക്കിയ പ്രവർത്തനങ്ങൾ ദുരിതബാധിതരുടെ ആവശ്യങ്ങൾക്കുതക്കവയാണോ, നടപ്പിലാക്കിയ പ്രവർത്ത

നങ്ങൾ ജീവിത പുനരുദ്ധാരണത്തിന് പര്യാപ്തമാണോ, നടപ്പിലാക്കിയ പ്രവർത്തനങ്ങൾ ദുരിതബാധിത മേഖലകളിലെ പ്രത്യേക സാഹചര്യങ്ങൾ പ്രകാശജീവിത പുനരുദ്ധാരണം സാധ്യമാക്കുമോ തുടങ്ങിയ കാര്യങ്ങൾ ജനകീയ കോടതി വിലയിരുത്തുമെന്ന് അവർ അറിയിച്ചു.

തിരുവനന്തപുരം മന്നം മെമ്മോറിയൽ ഹാളിൽ നടക്കുന്ന തെളിവെടുപ്പിൽ കേരളം, തമിഴ്നാട്, പോണ്ടിച്ചേരി എന്നിവിടങ്ങളിൽ നിന്നുള്ള ഇരുന്ന് റോളം സുനാമി ബാധിതർ തെളിവു നൽകുമെന്നും അവർ കുട്ടിച്ചേർത്തു.



# സുനാമി ബാധിത പ്രദേശങ്ങളിൽ മനുഷ്യാവകാശ ധ്വംസനം

താൽക്കാലിക പാർപ്പിടങ്ങളിലെ അസൗകര്യങ്ങളെക്കുറിച്ച് പരാതിയെന്ന് ജനകീയകോടതി

തിരുവനന്തപുരം സുനാമിബാധിത പ്രദേശങ്ങളിലെ കേവലം മുരമ്പുകളും മനുഷ്യാവകാശധ്വംസനമാണെന്ന് ജനകീയകോടതി അഭിപ്രായപ്പെട്ടു.

ദ്വരിതാശ്വാസപ്രവർത്തനങ്ങൾ സുതാര്യമല്ലെന്നും, ജീവിക്കാനുള്ള അവകാശത്തിന്റേതല്ല കടന്നുകയറുന്നത് ഈ പ്രദേശങ്ങളിൽ നടക്കുന്നുവെന്നും കേരളം, തമിഴ്നാട്, പോണ്ടിച്ചേരി എന്നിവിടങ്ങളിലെ തുറകണക്കിന് സുനാമിദുരിതബാധിതരിൽനിന്ന് തെളിവെടുത്ത ശേഷം, റിട്ട് ജസ്റ്റിസ് എസ്. സുരേഷ്, റിട്ട് ജസ്റ്റിസ് ഡി. ശ്രീദേവി, ഡോ. മോഹിനിഗിരി, ഡോ. യോഹാൻസ് തുടങ്ങിയവർ അടങ്ങിയ ജനകീയകോടതിയന്മാരാക്കിയ പ്രാഥമിക റിപ്പോർട്ടിൽ പറഞ്ഞു.

മനുഷ്യാവകാശലംഘനങ്ങളുടെ പരിധിയിൽ ദ്വരിതാശ്വാസ

ത്തിനുള്ള അവകാശത്തെ പരിഗണിക്കുന്നതിൽ സംസ്ഥാന സർക്കാരുകളും കേന്ദ്രസർക്കാരുകളും പരാജയപ്പെട്ടു. പല കൂട്ടംബങ്ങളിലും വരുമാനത്തിന്റെ ഉറവിടമാണ് നഷ്ടപ്പെട്ടത്. തൊഴിലുപകരണങ്ങളും വിദ്യാഭ്യാസ അവകാശവും അന്തസായി ജീവിക്കാനുള്ള അവകാശവും നഷ്ടമായ ജനതയുടെ പുനഃധ്വാനം കേവലം ദ്വരിതാശ്വാസമല്ല, മനുഷ്യാവകാശപ്രശ്നമാണ്.

എതുതരം ദ്വരിതാശ്വാസമാണു വേണ്ടത് എന്നതിനെപ്പറ്റി ദുരന്തബാധിതരുമായി ഒരുവിധ ചർച്ചയും നടക്കാതെയാണ് പദ്ധതികൾ നടപ്പാക്കുന്നത്. ഏകപക്ഷീയമായി ഇവ നടപ്പാക്കുന്നതു വഴി ജനങ്ങളിൽ അതൃപ്തി വളരുകയാണ്. സംസ്ഥാനികസഹായ വിരമത്തിന്റെ മാർഗ്ഗരേഖയും സുതാര്യമല്ല. ഭരണകൂടം അഴി

യി കാണിക്കുന്നതെന്ന് ജനവിശ്വാസത്തെ ഉറപ്പിക്കുന്നതാണ് സർക്കാരുകളുടെ പ്രവർത്തനങ്ങൾ.

താൽക്കാലിക പാർപ്പിടങ്ങളിലെ അസൗകര്യങ്ങളെക്കുറിച്ച് പരാതി മാത്രമാണുള്ളത്. സ്ത്രീകൾക്കും കുട്ടികൾക്കും സ്വകാര്യത കിട്ടുന്നില്ല. ജലവിതരണത്തിനു സംവിധാനമില്ല. ശൗചാലയങ്ങൾ വൃത്തിഹീനമാണ്. 24 ശക്തമാക്കുന്നതോടെ സ്മിതി നിന്ദനത്തോടുകൂടും. തിരത്തിന്റെ വേലിയേറ്റ പരിധിയിൽ നിന്ന് 260-500 മീറ്റർ ദൂരെ വീടുകൾ നിർമിച്ചു നൽകുന്നതു ന്യായീകരിക്കാനാവില്ലെന്ന് റിപ്പോർട്ടിൽ പറയുന്നു. കാരണം, മത്സ്യത്തൊഴിലാളികൾക്ക് കടൽത്തീരം വിട്ട് ജീവിക്കാനാവില്ല.

വിവിധവിഭാഗങ്ങൾക്ക് നഷ്ടപരിഹാരത്തുക ഇതുവരെ അനുവദിച്ചിട്ടില്ല. മറ്റു ജീവിതമാർഗ്ഗ

ങ്ങൾ തേടുന്നതിന് ആവശ്യമായ ഉപദേശമോ പ്രോത്സാഹനമോ സർക്കാരുകൾ നൽകുന്നില്ല. പുനരധിവാസ പദ്ധതികൾ അവ്യക്തമാണ്. അഴിമതിക്കാരായ ഉദ്യോഗസ്ഥരുടെ നിക്ഷിപ്തതാൽപര്യങ്ങളും കലക്ടറുടെ ഓഫീസ് കേന്ദ്രീകരിച്ചുള്ള പ്രവർത്തനങ്ങളും രാഷ്ട്രീയ ഇച്ഛാശക്തിയുടെ അഭാവവും പുനരധിവാസപദ്ധതികളെ അട്ടിമറിക്കുകയാണെന്ന് റിപ്പോർട്ടിൽ പറയുന്നു. ഈ മനുഷ്യാവകാശ പ്രശ്നങ്ങളിൽ ഇടപെടേണ്ട ദേശീയ മനുഷ്യാവകാശ കമ്മീഷന്റെ മൗനം അനാസ്ഥയാണെന്ന് റിട്ട് ജസ്റ്റിസ് സുരേഷ് പറഞ്ഞു. പ്രാഥമിക റിപ്പോർട്ടിനു പിന്നാലെ, വീരഭദ്രിപ്പോർട്ടും കൂന്നു സംസ്ഥാന സർക്കാരുകൾക്കും കേന്ദ്രസർക്കാരിനും സമർപ്പിക്കുമെന്ന് ജനകീയകോടതി അംഗങ്ങൾ പറഞ്ഞു.



മലയാള മനോരമ

2005 മേയ് 27 വെള്ളി

## സുനാമി ദുരിതാശ്വാസം: ജനകീയകോടതി തെളിവെടുക്കും

തിരുവനന്തപുരം: സുനാമി ബാധിതപ്രദേശങ്ങളിലെ ദുരിതാശ്വാസം, പുനർധിവാസ പ്രവർത്തനങ്ങൾ സംബന്ധിച്ച് ദുരന്തബാധിതരിൽനിന്ന് തെളിവെടുക്കുന്ന ജനകീയ കോടതി നാളെയും മറ്റു നാളും മനം മെമ്മോറിയൽ ഫാളിൽ തെളിവെടുപ്പ് നടത്തും. സുനാമി ദുരിതബാധിതരെ സഹായിക്കാനായി വിവിധ സംഘടനകളുടെ നേതൃത്വത്തിൽ രൂപീകരിച്ച

'വോയ്സ്സ് ഫ്രം ദ മാർജിൻസ്' എന്ന കൂട്ടായ്മയുടെ നേതൃത്വത്തിലാണ് ജനകീയ കോടതി സംഘടിപ്പിക്കുന്നത്.

ജ: സുരേഷ്, ജ: ഡി. ശ്രീദേവി, ദേശീയ വനിതാ കമ്മീഷൻ മുൻ അധ്യക്ഷ ഡോ. വി. മോഹനഗിരി എന്നിവരാണ് ജനകീയ കോടതിയിൽ ദുരന്തബാധിതരിൽനിന്ന് തെളിവെടുക്കുന്നത്. നാളെ രാവിലെ

ഡോ. എൻ. കെ. ജനകീയ കോടതി ഉദ്ഘാടനം ചെയ്യും.

ഇന്ന് ജനകീയ കോടതി സംഘം വിവിധ ദുരിതബാധിത പ്രദേശങ്ങൾ നേരിട്ട് സന്ദർശിച്ച് തെളിവെടുക്കും. ജനകീയ തെളിവെടുപ്പിലൂടെ ലഭ്യമാകുന്ന കണ്ടെത്തലുകൾ മുക്രാഡീകരിച്ച് സംസ്ഥാന, കേന്ദ്ര സർക്കാരുകൾക്കു സമർപ്പിക്കും.



മാതൃഭൂമി • 2005 മെയ് 29 • ഞായറാഴ്ച

# ജനകീയ കോടതിക്ക് മുന്നിൽ സങ്കടങ്ങളുമായി സുനാമി ബാധിതർ

സ്വന്തം ലേഖകൻ

തിരുവനന്തപുരം: "ചുട്ടുപൊള്ളുന്ന വെയിലിൽ ചുളയിലെ നമ്പോലയാണ് താത്ക്കാലിക ക്യാമ്പുകളിൽ ഞങ്ങൾ ജീവിക്കുന്നത്. മഴ വന്നശേഷം ഒരാഴ്ചയായി ക്യാമ്പുകളിലെ കക്കൂസുകളും ഉപയോഗിക്കാനായിട്ടില്ല. സ്ത്രീകൾക്കാവശ്യമായ ഒരു സ്വകാര്യതയും ക്യാമ്പിലില്ല" - അഴി കലിലെ സുനാമി ദുരിതാശ്വാസ ക്യാമ്പിൽ നിന്നെത്തിയ 22 കാരിയായ താമര ജനകീയ കോടതിയോട് പറഞ്ഞു.

തമിഴ്നാട്ടിലെ റോയ്പുരത്തു നിന്നെത്തിയ ഷീല ജനകീയ കോടതിയ്ക്ക് മുന്നിൽ പൊട്ടിക്കരഞ്ഞു. സുനാമിയിൽ മകൻ മരിച്ചിട്ട് മരണം രജിസ്റ്റർ ചെയ്യാൻ

പോലും സർക്കാർ തയ്യാറായിട്ടില്ല. രണ്ട് പെൺകുട്ടികളുമായി ഇപ്പോൾ വാടകവീട്ടിലാണ് ഷീല താമസിക്കുന്നത്. വാടക നൽകാനില്ലാത്തതുകൊണ്ട് വീട്ടുമേയുടെ ഭിഷണിയിലാണ് ഈ കുടുംബം.

സുനാമി ബാധിതരുടെ കൂട്ടായ രൂപം നൽകിയ ജനകീയ കോടതിക്ക് മുന്നിൽ പുനരധിവാസത്തെപ്പറ്റി തെളിവ് നൽകാൻ 250 ഓളം പേരാണ് എത്തിയത്. കേരളം, തമിഴ്നാട്, പോണ്ടിച്ചേരി എന്നീ സംസ്ഥാനങ്ങളിൽ നിന്നുള്ളവർ തങ്ങളുടെ ദുരിതങ്ങൾ ജനകീയ കോടതിക്ക് മുന്നിൽ പറഞ്ഞു. ഇന്ത്യയിലെ സുനാമി ബാധിതരെ സഹായിക്കാൻ ലോകജനത ഒരതുമ്പേർ നിട്ടും താത്ക്കാലിക ക്യാമ്പുകളിൽ ദുരിതങ്ങളുടെ സുനാമിയിലാണ് അവരിപ്പോഴുമെന്ന് ഈ സങ്കടങ്ങൾ തെളിയിക്കുന്നു. തെളിവെടുപ്പ് ഞായറാഴ്ചയും തുടരും.

മുംബൈ ഹൈക്കോടതിയിലെ മുൻ ജഡ്ജി ജസ്റ്റിസ് ഹോസ് ബെറ്റ്സുരേഷ് ശ്രീയവനിതാ കമ്മീഷൻ മുൻ അധ്യക്ഷ ഡോ. മോഹിനി ഗിരി, സംസ്ഥാന വനിതാ കമ്മീഷൻ മുൻ അധ്യക്ഷ ജസ്റ്റിസ് ഡി. ശ്രീദേവി എന്നിവരാണ് പരാതികൾ കേൾക്കുന്നത്.

ഇവരെ സഹായിക്കാൻ വിവിധ മേഖലകളിലെ വിദഗ്ദ്ധരുമുണ്ട്. സുനാമി ബാധിത സ്ഥലങ്ങൾ സന്ദർശിച്ച് സ്ഥിതിഗതികൾ വിലയിരുത്തിയശേഷമാണ് തെളിവെടുപ്പ് നടത്തുന്നത്. നിർദേശങ്ങളും പരാതികളും കേന്ദ്ര സംസ്ഥാന സർക്കാരുകളുടെയും അന്തർദേശീയ എജൻസികളുടെയും ഐക്യരാഷ്ട്ര സംഘടനയുടെയും ശ്രദ്ധയിൽപ്പെടുത്തുമെന്ന് സൗത്ത് ഏഷ്യാ ഫു മൻ റൈറ്റ്സ് ഡോക്യുമെന്റേഷൻ സെന്ററിന്റെ എക്സിക്യൂട്ടീവ് ഡയറക്ടർ ഡോ. രവിനാഥ് പറഞ്ഞു.

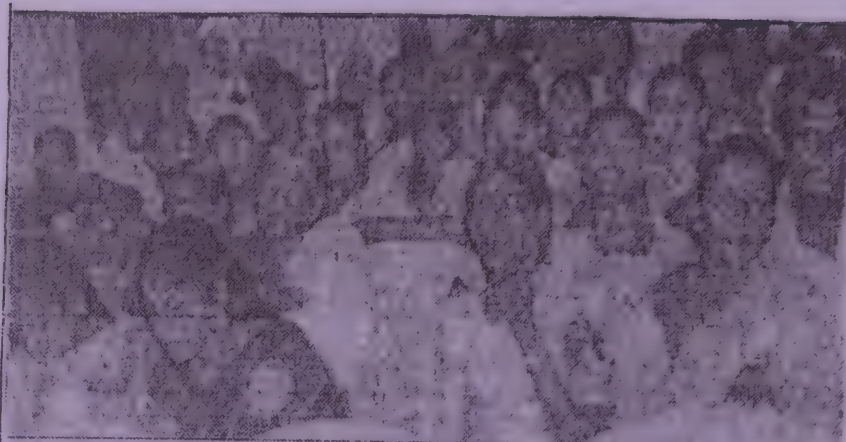
തെളിവെടുപ്പ് കേരള സർവകലാശാല മുൻ വൈസ് ചാൻസലർ ഡോ. എൻ.എ. കരിം ഉദ്ഘാടനം ചെയ്തു. സർക്കാരിന് കിട്ടിയ മുന്നൂറ് കോടി രൂപയിൽ പകുതി ഉപയോഗിച്ചിരുന്നുണ്ടെങ്കിൽ ഇത് നകം ഇവരുടെ പുനരധിവാസ പൂർത്തിയാക്കുമായിരുന്നുവെന്ന് അദ്ദേഹം പറഞ്ഞു. മാഗ്സിൻ പീറ്റർ, ടി. പീറ്റർ, പൂച്ചിരാജ് എന്നിവർ സംസാരിച്ചു.

## പകർച്ചവ്യാധി ഭീഷണിയെന്ന് മുന്നറിയിപ്പ്

തിരുവനന്തപുരം: കേരളത്തിലുടനീളം സുനാമി ദുരിതാശ്വാസ ക്യാമ്പുകളിൽ വൻ പകർച്ചവ്യാധി ഭീഷണിയുണ്ടായിട്ടുണ്ടെന്നറിയിപ്പ്. മുൻകരുതലെടുത്തില്ലെങ്കിൽ മഴക്കാലമാവുന്നതോടെ ഗുരുതരമായ പ്രതിസന്ധിയുണ്ടാവുമെന്ന് ക്യാമ്പുകൾ സന്ദർശിച്ച ജനകീയ സംഘത്തിലെ ഡോ. പി.വി. ഉണ്ണികൃഷ്ണൻ പറഞ്ഞു. ആക്ഷൻ എയ്ഡ് ഇൻറർനാഷണലിന്റെ മനുഷ്യസുരക്ഷാ ഉപദേശകനായ ഉണ്ണികൃഷ്ണൻ നാലുരാജ്യങ്ങളിൽ സുനാമി പുനരധിവാസ പ്രവർത്തനങ്ങളിൽ പങ്കാളിയായിട്ടുണ്ട്. ജനങ്ങളുടെ നിർദേശങ്ങളും ഉപദേശങ്ങളും തേടാതെയാണ് കേരളത്തിൽ പുനരധിവാസ പ്രവർത്തനങ്ങൾ ആസൂത്രണം ചെയ്തതെന്ന് അദ്ദേഹം പറഞ്ഞു.



2005 മെയ് 29 ബുധൻ



സുനാമിയിൽ എല്ലാം നഷ്ടപ്പെട്ട തിരുവനന്തപുരത്തെ ജനകീയ കോടതിയിൽ എത്തിയ തമിഴ്നാട് സ്ത്രീകൾ.



സുനാമിയിൽ എല്ലാം നഷ്ടപ്പെട്ടവർക്കായി തിരുവനന്തപുരത്ത് നടത്തിയ ജനകീയ കോടതിയിൽ എത്തിയവർ.

## സുനാമി ദുരിത ബാധിതർ ജനകീയ കോടതിയിൽ

സ്വന്തം ലേഖകൻ

തിരുവനന്തപുരം: സുനാമി ദുരിതം നേടിയവർക്ക് അവരെ വിട്ടൊഴിഞ്ഞിരുന്നില്ല എങ്കിലും അവർ കണ്ട കഷ്ടതയെക്കുറിച്ച് എല്ലാം നഷ്ടപ്പെട്ടവരുടെ സുനാമിക്ക് ശേഷം മാത്രമേ അവർ അനുഭവിക്കുന്ന അവസ്ഥയെക്കുറിച്ചും കണ്ടെത്തുകയുണ്ടായിരുന്നു. സുനാമി ദുരിത ബാധിതർക്ക് കണ്ടെത്താൻ നിരവധി

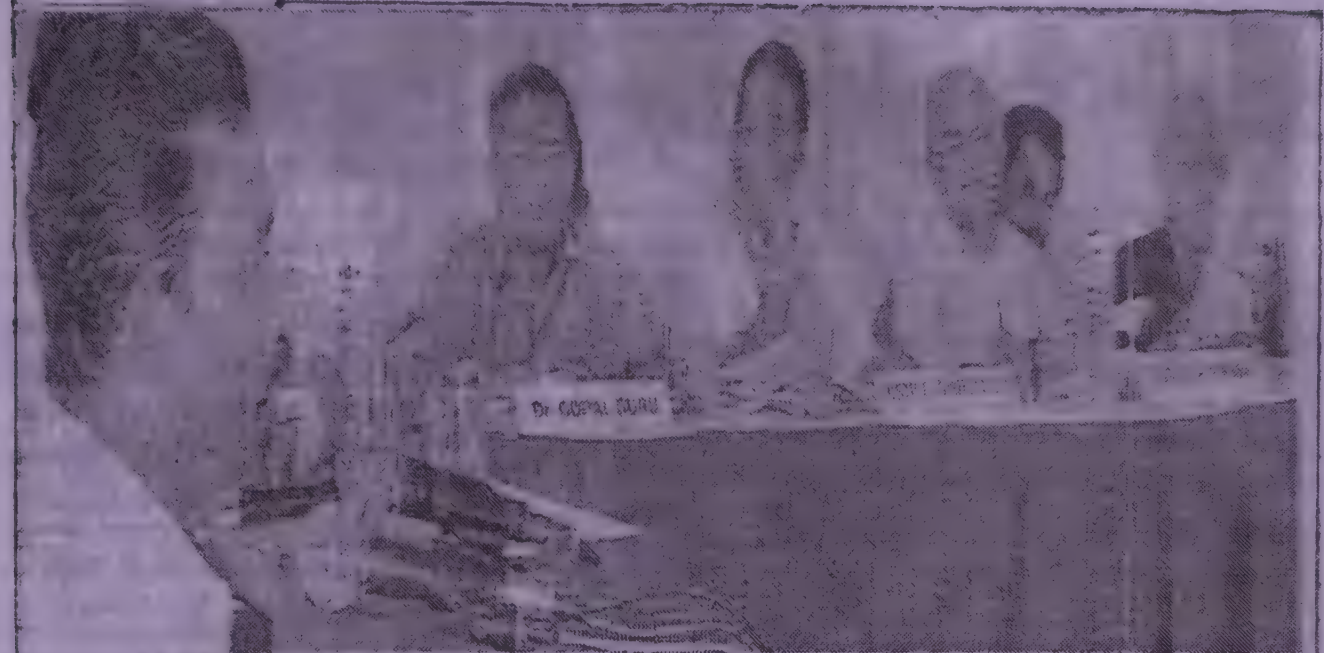
തീരുവനന്തപുരത്ത് നടക്കുന്ന ജനകീയ കോടതിയിൽ തിരുവനന്തപുരത്ത് പോലീസ് ഉൾപ്പെടെയും കേരളത്തിലെ 250-ഓളം മന്ത്രിമാർക്കായി ഉൾപ്പെടെയുള്ളവർ നൽകുന്ന തീരുവത്. ജനകീയ ജനതയെക്കുറിച്ചും സുനാമി ബാധിതരുടെയും പുനരധിവാസത്തിനായി നടത്തുന്ന പദ്ധതികളും ഇന്നും തീരുവത് അനുഭവിക്കുന്ന നിരവ

ധി പ്രശ്നങ്ങൾ അവർ കോടതി മുന്പാകെ അവതരിപ്പിച്ചു. ആദ്യമായി 28 പേർ കോടതി മുന്പാകെ എത്തിയവരിൽ ചിലർ ചിലർക്കായി പോലീസ് താൽക്കാലിക ഭവനങ്ങൾ സർക്കാരിൽ നിന്ന് അടയ്ക്കിയിട്ടുണ്ട്. 29 വനത്തിന് ശേഷം ഇതുവരെ കോടതി മുന്പാകെ എത്തിയവരിൽ 29 പേർ കോടതി



# മലയാള മനോരമ

2005 മേയ് 29 ഞായർ



പിപ്പിൾസ് ട്രൈബ്യൂണൽ തിരുവനന്തപുരത്ത് സുനാമി ദുരിതാശ്വാസ സംബന്ധിച്ച നടത്തിയ ബഹുജനസമ്മേളനം പരിചര്യത്തിൽ ഡോ. ഗോപാൽ ഗുരു, ജസ്റ്റിസ് ഡി. ശ്രീദേവി, ജസ്റ്റിസ് എച്ച്. സുരേഷ്, ഡോ. മോഹിനി ശിവി എന്നിവർക്കു മുന്നിൽ അഭിഭാഷക സഭയ്ക്കു ചില അനുഭവങ്ങൾ വിവരിക്കുന്നു.

## സുനാമി: വൈകിയാൽ മൊറ്റൊരു ദുരന്തം

തിരുവനന്തപുരം കാലവർഷം തുടങ്ങുന്നതിനു മുമ്പ് സുനാമി ദുരിതബാധിതരുടെ പുനരധിവാസം നടത്തിയില്ലെങ്കിൽ മറ്റൊരു ദുരിതത്തിനു സാക്ഷ്യം വഹിക്കേണ്ടിവരുന്നത് വിവിധ സന്നദ്ധ സംഘടനകളുടെ നേതൃത്വത്തിൽ നടത്തിയ ജനകീയ കോടതി നിഗമനത്തിലെത്തി.

ലോകമെമ്പാടും നിന്ന് ഫണ്ട് ശേഖരിച്ച സർക്കാർ സുനാമി ബാധിതരുമായി പുനരധിവാസം സംബന്ധിച്ച ചർച്ച വേണ്ടവിധത്തിൽ നടത്തിയിട്ടില്ലെന്ന് റിട്ട. ജസ്റ്റിസ് എച്ച്. സുരേഷ്. റിട്ട. ജസ്റ്റിസ് ഡി. ശ്രീദേവി, ഡോ. മോഹനശിവി, ഡോ. ഗോപാൽഗുരു എന്നിവരുടെ ജനകീയ കോടതി കണ്ടെത്തി.

മഴക്കാലം തുടങ്ങുന്നതോടെ

സുനാമി ബാധിതരുടെ സ്ഥിതി കൂടുതൽ ദുരിതപൂർണ്ണമാകും. വീടും വള്ളവും വലയും നഷ്ടപ്പെട്ട കുടുംബങ്ങൾ നിരവധിയാണ്. ആഹാരവും കൃത്യമായി കിട്ടുന്നില്ല. താൽക്കാലിക ക്യാമ്പുകൾ പകർച്ചവ്യാധി ഭീഷണിയിലാണ്. മൗലികാവശ്യങ്ങളുടെ ലഭ്യതയാണു സുനാമി ബാധിത മേഖലകളിൽ നടക്കുന്നത്. ഇക്കാര്യങ്ങൾ സർക്കാരിന്റെ ശ്രദ്ധയിൽപ്പെടുത്തും. മൂന്നു സംസ്ഥാനങ്ങളിലെ 250 സുനാമി ബാധിതരിൽനിന്ന് തെളിവെടുത്തതിനുശേഷമാണ് ഇവർ നിഗമനത്തിലെത്തിയത്. ജനകീയ കോടതി ഡോ. എൻ. എ. കമി. ഉദ്യോഗസ്ഥൻ. മാറ്റിൻ പിറ്റർ. പ്യൂമിരാജ്. ടി. പിറ്റർ എന്നിവർ പങ്കെടുത്തു. തെളിവെടുപ്പ് ഇന്നു തുടരും.



മാധ്യമം

TVM 2005 മെയ് 29 ഞായർ TVC

# സുനാമി ദുരിതബാധിതർ 'ജനകീയ കോടതിയിൽ' തെളിവ് നൽകി

തിരുവനന്തപുരം: സുനാമി ദുരിതത്തെ തുടർന്ന് എല്ലാം നഷ്ടപ്പെട്ടവർ 'ജനകീയ കോടതി' മുമ്പാകെ തെളിവ് നൽകി. പീപ്പിൾസ് ട്രൈബ്യൂണൽ മുന്നോട്ടെത്തിയത് നാഷണൽ കമ്മ്യൂണിറ്റി സോളിഡറിറ്റി ജനകീയ കോടതിയിലാണ് തമിഴ്നാട്, പോണ്ടിച്ചേരി, കേരളം എന്നിവിടങ്ങളിലെ സുനാമി ബാധിത പ്രദേശത്തെ ജനങ്ങൾ തങ്ങളുടെ നിസ്സഹായാവസ്ഥ വെളിപ്പെടുത്തിയത്. അർഹമായ ആനുകൂല്യങ്ങൾ ഇതുവരെ ലഭിച്ചിട്ടില്ലെന്നും അനർഹമായ പലരും ആനുകൂല്യങ്ങൾ തട്ടിയെന്നുമുള്ള പരാതികളാണ് ജനകീയ കോടതി മുമ്പാകെ വന്നത്. 28 പേരാണ് ഇന്നലെ ഓളിന് നാൾകിയത്. കേരള യൂണിവേഴ്സിറ്റി മുൻ വൈസ് ചാൻസിലർ ഡോ. എൻ.എ. കുര്യം ജനകീയ കോടതി ഉദ്ഘാടനം ചെയ്തു. സുനാമി ദുരിതബാധിതരെ പുനരധിവാസിപ്പിക്കാനായി സർക്കാർ സമാഹരിച്ച 300 കോടി രൂപയുടെ ചെറിയൊരു അംശമുണ്ടായിരുന്നെങ്കിൽ കടലിന്റെ മക്കളുടെ ജീവിതം പുനഃസൃഷ്ടിക്കാനാകുമായിരുന്നുവെന്ന് അദ്ദേഹം പറഞ്ഞു.

ചുരുക്കി എണ്ണപോലെയാണ് താൽക്കാലിക ദുരിതാശ്വാസ ക്യാമ്പുകളിൽ തങ്ങൾ ജീവിച്ചിരുന്നതെന്ന് അഴീക്കലിൽ നിന്ന് തെളിവ് നൽകാനെത്തിയ ഒരു സ്ത്രീ പറഞ്ഞു. സോഷ്യലായി ക്യാമ്പുകളിലെ കക്കൂസുകൾ ഉപയോഗിക്കാൻ കഴിയാ

ത്ത അവസ്ഥയിലാണ്. സ്ത്രീകൾക്കാവശ്യമായ ഒരു സങ്കാശ്യതയും ക്യാമ്പുകളിലില്ലെന്നും അവർ പരാതിപ്പെട്ടു.

ദുരവിധ സൗകര്യങ്ങളും ഇല്ലെന്നും 29 കണത്താൽ ഇവിടങ്ങളിലെ കക്കൂസുകളിലെ മാലിന്യങ്ങൾ വിടുകൾക്കുള്ളിൽ പ്രവേശിക്കുമെന്നും ക്യാമ്പുകൾ സന്ദർശിച്ച-27ന് വനിതാകമ്മീഷൻ ചെയർ പേഴ്സൺ ജസ്റ്റിസ് ശ്രീദേവി വാർത്താസമ്മേളനത്തിൽ പറഞ്ഞു. സർക്കാരിന്റെ ഭാഗത്തുനിന്ന് ക്രമമായ അവഗണനയാണ് ഇക്കാര്യത്തിലുണ്ടായതെന്നും അവർ പറഞ്ഞു. ഭരണത്തിൽ വ്യവസ്ഥ ചെയ്തിട്ടുള്ള മാലികാവകാശമാണ് അവർക്ക് അടിസ്ഥാന സൗകര്യങ്ങൾ ലഭ്യമാക്കി കൊടുക്കേണ്ടതെന്ന് പീപ്പിൾസ് ട്രൈബ്യൂണൽ ഭാരവാഹികളായ ഡോ. രവി നായർ, ഡോ. ഉണ്ണി, മാഗ്സിൻ തുടങ്ങിയവർ പറഞ്ഞു. രണ്ട് ദിവസം നീളുന്ന ജനകീയ കോടതിക്ക് ജസ്റ്റിസുമാരായ എച്ച്. സുരേഷ്, ഡി. ശ്രീദേവി, ഡോ. ഹോഹിനിഗിരി, ഡോ. ഗോപാൽ ഗുരു എന്നിവരാണ് നേതൃത്വം നൽകുന്നത്. തെളിവെടുപ്പിന് ശേഷം സുനാമി ദുരിതബാധിതരുടെ പുനരധിവാസ പ്രവർത്തനങ്ങളെക്കുറിച്ചുള്ള നിർദ്ദേശങ്ങൾ കേന്ദ്ര-സംസ്ഥാന സർക്കാരുകൾക്കും പ്രസിഡൻറിയും സമർപ്പിക്കും. തെളിവെടുപ്പ് ഇന്ന് അവസാനിക്കും.



തിരുവനന്തപുരത്ത് മുന്നോട്ടെത്തിയ ഓളിന് നാൾകിയ സുനാമി ബാധിതരുടെ ജനകീയ കോടതി ഡോ. എൻ.എ. കുര്യം ഉദ്ഘാടനം ചെയ്യുന്നു.



# 'Tsunami relief work lacks transparency'

Pioneer News Service

Thiruvananthapuram

THE DISASTER management plans of the State Governments have failed to rehabilitate the tsunami survivors as it lacks transparency, Justice H Suresh, former High Court judge and jury member of the people's tribunal, said.

The tribunal has recommended the setting up of grievance cells in each tsunami-affected village, to ensure transparency and rationalisation in rehabilitation efforts. A comprehensive policy was the need of the hour, he pointed out. Justice Suresh, along with a panel of jurists, collected prima facie

Need for grievance cells in affected villages

evidence from the tsunami survivors of Kerala, Tamil Nadu and Pondicherry, at a two-day sitting of the tribunal in Thiruvananthapuram.

While briefing newsmen about the interim report prepared by the tribunal, which will be submitted to the State Governments and the Centre, Justice Suresh said tsunami survivors were facing denial of shelters and denial of livelihood. Children were denied proper education and women, particularly widows,



were not even recognised. "Rehabilitation is anti-people. It is important to shift gears and fast-track the process,"

urged Justice Suresh.

The tribunal said lack of transparency had prevailed in the consultations while dealing with the tsunami victims. Hence, it has suggested constitution of grievance cells at each tsunami af-

ected village. "It is five months since the most devastating natural disaster has hit the shores of Indian Ocean and till now the policies adopted by the respective governments have not made any betterment for the survivors," the tribunal said.

Over 250 survivors assembled to present their grievances before the tribunal. A cross section of the survivors belonging to fishermen, dalit and adivasi communities testified before it. Testimonies concluded that utter disrespect and disregard for human lives and lack of political commitment

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## 5. List of Civil Society Organisations which took part in People's Tribunal

- National Fishermen Union
- Kerala Swathanthra Malsiya Thozhilaly Federation
- Vikas Adhyayan Kendra, Mumbai
- Institute of Self Management, Madurai
- Community Awareness Research Education Trust
- ANA WIM Trust, Thiruvalla
- MJM Centre, Thirichandur
- Boat Owners Association, Tamil Nadu
- Seaweed Collectors Association
- Grace Coastal Development Society
- Sneha, Nagapattanam
- Construction Workers Union, Nagapattinam
- Visual Search, Bangalore
- Hope, Pondicherry
- Asia Pacific Human Rights Network
- Dalit Intellectual Collective
- SALLFR Trust
- Sangamam Communications, Chennai
- People's Watch, Tamil Nadu
- Shankar's Organisation (Builders and Architects)
- N E S A, Bangalore







